



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 28 October 2011**

**12633/04  
EXT 1**

**ENFOPOL 118**

**PARTIAL DECLASSIFICATION**

---

of document:	12633/04 RESTREINT UE
dated:	30 September 2004
new status:	Public
Subject:	Evaluation of National Anti-Terrorist Arrangements Report about Greece, 14-16 October 2003

---

Delegations will find attached the partially declassified version of the above-mentioned document.

  

---



**ANNEX**

**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 30 September 2004**

**12633/04  
EXT 1 (28.10.2011)**

**ENFOPOL 118**

**NOTE**

---

from : General Secretariat

---

to : Working Party on Terrorism

---

Subject : Evaluation of National Anti-Terrorist Arrangements  
Report about Greece, 14-16 October 2003

---

Evaluation of Greece, 14-16 October 2003

SUMMARY

<b>1. Terrorism Situation</b> .....	<b>3</b>
<b>1.1. Introduction</b> .....	<b>3</b>
<b>1.2. Domestic Terrorism</b> .....	<b>3</b>
<b>1.3. International Terrorism</b> .....	<b>7</b>
<b>2. Structure of authorities</b> .....	<b>9</b>
<b>3. The Judiciary</b> .....	<b>9</b>
<b>4. Leading Minister and other Ministers</b> .....	<b>10</b>
<b>5. The Greek counter terrorism machinery</b> .....	<b>10</b>
<b>5.1. The Hellenic Police</b> .....	<b>11</b>
<b>5.2. The Coast Guards</b> .....	<b>14</b>
<b>5.3. The National Intelligence Service or EYP</b> .....	<b>14</b>
<b>5.4. The special Public Prosecutor attached to the Ministry of Public Order</b> .....	<b>15</b>
<b>6. Co-ordination</b> .....	<b>16</b>
<b>6.1. Co-ordination with the Hellenic Police</b> .....	<b>16</b>
<b>6.2. Co-ordination within the Ministry of Public Order</b> .....	<b>17</b>
<b>6.3. Co-ordination at national level</b> .....	<b>18</b>
<b>7. The fight against the financing of terrorism</b> .....	<b>19</b>
<b>8. Legal provision</b> .....	<b>20</b>
<b>9. Good practices and recommendations</b> .....	<b>21</b>
<b>9.1. Good practices</b> .....	<b>21</b>
<b>9.2. Recommendations</b> .....	<b>22</b>

## **1. Terrorism Situation**

### **1.1 Introduction**

The phenomenon of terrorism in Greece started after the restoration of democracy in 1974 and it essentially took shape when two organizations appeared: the Revolutionary Organization 17 November (Epanastatiki Organosi 17 Noemvri) and the Revolutionary People's Struggle [Epanastatikos Laikos Agonas (ELA)].

### **1.2. Domestic Terrorism**

At first ELA (29-4-1975) and then RO 17N (23-12-1975) started with attacks against American 'targets' and since then they had been the most representative groups of the extreme left wing terrorism in Greece.

The aforementioned groups basically committed murders, placed incendiary and explosive devices, organized bomb attacks using vehicles trapped with explosives, launched rockets and organized sabotages and propaganda related activities.

During their long lasting and continuous action their targets were not only Greek citizens (politicians, judges, policemen, businessmen, mass media) but also American, Turkish and British officials, buildings of foreign diplomatic missions, public services and organizations, Greek and foreign companies, state and private vehicles of Greek or foreign delegations etc.

During the last two years terrorism in Greece suffered a crushing blow from the Hellenic Police.

More specifically:

**RO 17N**<sup>1</sup> In the summer 2002, 21 members or persons attached to the RO 17N were arrested and the whole arsenal of the organization was discovered.

They were charged of participation in the organization and their trial was completed on 17-12-2003 : 15 of its members were sentenced to life or multi-annual imprisonment sentences and 4 were acquitted.

The organization has been completely dismantled regarding the operational members and the operational means.<sup>2</sup>

---

<sup>1</sup> RO 17N. The name of the organization obviously symbolizes the Athens Polytechnic student uprising of 17 November 1974 against the ruling of the military regime of that time. It initially took action in 1975 (when the American diplomat Welch was assassinated) till June 2002 [bomb attempt in Port of Piraeus where the perpetrator (Savas XYROS) was injured]. Taking into consideration its ideological manifestos and proclamations occasionally issued, this organization belonged to the wider revolutionary left wing. It was a completely tight, armed, conspiratory organization with rigid hierarchical structure and was active using urban guerrilla tactics. During its 27 year action it “intervened” with murderous attacks, bombing actions, rocket launching etc in various important issues related to the social-economic, domestic and foreign policy of Greece, justice , the police suppression, the role of the Americans , NATO etc. The targets of the organization include the following categories: American, Turkish, British and EU interests as well as Greek interests (politicians, judges, policemen, publishers, businessmen, public premises, factories, multinational companies, public, private companies, civil servants etc). It is responsible for the assassination of 23 persons (15 Greeks, 5 Americans, 2 Turks and 1 British) and for the injury of 75 persons. It assumed the responsibility for its actions by issuing proclamations in which were presented its views and criticism.

<sup>2</sup> Speaking during the presentation of a book written by journalist Michalis Dimitriou and titled “A juror in the 17 November trial”, Minister of Public Order Giorgos Voulgarakis stated on 22 June 2004 that there are invisible sides of terrorism and light has to be shed on them, that «the trial gave answers to many questions but a lot of questions are still unanswered and for this reason, the “17 November” case is still open and investigation continues». Mr. Voulgarakis also said that the group's executing branch is dismantled but there are still invisible sides that remain to be lit.

**Revolutionary People's Struggle** (ELA)<sup>3</sup>: Four leading members of the organization were arrested and sent to trial.

Their trial was initiated in February 2004 and continues until today.

**Revolutionary Nuclei** (Epanastatikoi Pyrines): It first appeared in 1996 with a bomb detonation outside the premises of the Central Port Authorities in Piraeus, causing property damages only.

It was an organization of anarchist/left profile with limited organizational and operational capabilities. Its activities were circumstantial consisting of placing low intensity explosive devices, mainly targeting buildings.

---

<sup>3</sup> **ELA** : This terrorist group was active from 1975 (committed arsons targeting US vehicles) until 1995 ( last attack in January 1995 by detonating a bomb outside the University of Athens). Created towards the end of the military regime or after its fall -around the time **Revolutionary Organization “November 17”** was created- it developed out of the discussions and changes made within the Extreme Left and was manned by with revolutionary ideology. From the proclamations they have made public at various instances one may clearly deduct that ELA drew its ideology from the New Revolutionary Left. Their activities were exclusively clandestine, by committing assassinations but mostly bombing attacks as well as sabotages. During its long-span activities the majority of their terrorist “interventions” were made on “domestic” issues, but their operations were often carried out as means of “international solidarity” towards various nationalistic/liberating and revolutionary movements and organizations of the same ideological background around the globe. Generally speaking, the modus operandi of ELA included placing improvised incendiary or explosive devices –usually not sophisticated ones– against public services, organizations, big Greek or foreign companies (mainly US and German ), vehicles belonging to Greek citizens or Foreign Diplomatic Missions (US in most cases), police departments and vehicles, public utility companies facilities etc. In most cases there has been a warning call of impending attack to newspapers or radio and TV stations followed by a proclamation to assume responsibility for the attack. ELA is responsible for the death of three (3) persons, assuming responsibility for the death of two while for the third victim assumed responsibility ‘Revolutionary Organization 1st of MAY’ which appeared in 1987 and joined with ELA in 1990. It is also responsible for the injury of another fifty-five (55) persons. Crucial to the terrorist operations of said group was the information disclosed from the archives of the former East German Secret Police Service “STASI”, which form part of the on-going trial of the ELA members. These information from STAZI files clearly show that the Greek terrorism was influenced by international terrorism, main point of reference was the “International Revolutionaries Organization”, known as “Carlos group” of ILLICH RAMIREZ SANCHEZ, alias “Carlos the Jackal”, and its leading members.

It claimed responsibility for 16 bomb attacks, causing the death of one person.

Latest attack was in November 2000 (bombing of a bank, causing property damages) and since then has not re-appeared.

It should be noted that all three (3) abovementioned terrorist groups are included in the following EU lists:

- a) the Working Group on Terrorism list of the Third Pillar of the Council of the European Union, for historical and statistical reasons, and registered as non active (if no activity has been recorded within two years the organization is considered non active) and
- b) the Common Position 2001/931/CFSP list of the EU (implementation of special measures for combating the financing of terrorism).

**Other organizations** : Last year (July 2003 to May 2004) appeared in Greece for the first time, by placing low-intensity improvised explosive devices, the following organizations : **Revolutionary Struggle** (in Greek : Epanastatikos Agonas , in total 3 bomb attacks causing property damages ) and **People's Revolutionary Action** (in Greek : Laiki Epanastatiki Drasi , in total 2 bomb attacks causing property damages ).

The emergence of these two organizations is connected with the actions taken by few isolated peripheral extreme elements of extreme left origin.

### **1.3. International Terrorism**

Greece, as most countries in the world, did not stay intact from terrorist activities of international terrorist organizations.

International terrorism was active in Greece since 1968 until 1991.

Palestinian, Arab and Armenian organizations were active in Greece either with a view to resolving their differences or by targeting foreign interests.

It has to be noted that there was no direct strike against Greek targets by international terrorist organizations.

In contrast, there were terrorist strikes against Palestinian, Israeli, Arab, American, British and Turkish targets.

The ABU NIDAL organization, also named BLACK SEPTEMBER and ARAB REVOLUTIONAY BRIGADES, assumed responsibility for most of the terrorist attacks committed in Greece, the most important of which was the attack against the CITY OF POROS cruise ship in July 1989 that led to the death of 9 tourists.

The most important and latest terrorist action that took place in Greece was in April 1991 in Patras, when a high intensity bomb targeting the British Consulate exploded prematurely on the hands of a Palestinian killing 7 people, the Palestinian who carried the bomb and 6 Greek nationals.

8 Palestinians, members of the PALESTINIAN ISLAMIC JIHAD, were arrested for the explosion.

Since 1991 no other terrorist activity in Greece was carried out by international terrorist organizations.

Furthermore, until today, the existence of Islamic extremist cells has not been established in Greece.



## 2004 Olympic Games in Greece<sup>4</sup>

**The 28<sup>th</sup> Olympic Games and the 12<sup>th</sup> Paralympic Games ended with great success both from an organizational and a security point of view.**

**It should be highlighted that no incident or any other kind of threat was noted against the Olympic Games before or during the Games coming from domestic or international organizations, as well as from people of the anarchist /insurrectional area.**

---

<sup>4</sup> The security of the 2004 Olympic Games was not in the scope of the evaluation. It can be said that Security for the Olympic Games has been institutionally assigned to the Ministry of Public Order, and specifically, to Hellenic Police, which is called on to ensure complete security for the holding of the 2004 Games. As part of this effort, a special autonomous service answering directly to the chief of Hellenic Police, the Division for Olympic Games Security was created (OGSD). The OGSD is divided into four administrative units and in particular includes the Operations Planning, Olympic Information Centre (staffed by personnel from the Hellenic Police, the Fire Brigade, the Coast Guard, the Armed Forces General Staff and the National Intelligence Agency, the OGSD is to closely co-operate with international law enforcement agencies and will be the only centralised agency responsible for collecting, filing, analysing, evaluating and using processed information dealing with Olympic security. This unit also has responsibility for the final evaluation of threats. EYP plays a vital role in this sector, as it retains the institutional responsibility for evaluating threats against countries and national delegations participating in the Games. It also manages information dealing with the Olympics that is received from affiliated foreign agencies and law enforcement services. It is the Centre's responsibility to disseminate this information to relevant services so that necessary precautionary and preventative measures are taken. Additionally, it co-operates with another 72 agencies and public sector entities, including the Civil Defence General Secretariat, the National Ambulance Service, the Civil Aviation Authority and the National Meteorological Service). The Olympic Games Security Division - as expected- works closely with the Athens 2004 Olympic Games Organising Committee (ATHOC) in order to achieve the highest degree of co-ordination. O.G.S.D. also co-operates with the Olympic Advisory Group comprised of seven countries, with significant experience in the hosting of major sports events. These countries are the United States, United Kingdom, Australia, Germany, France, Spain and Israel. Experts from these countries provide know-how in various sectors, such as planning, technology, training, information gathering and analysis. Other bilateral contacts with European and other countries are being developed through standardised channels of international law enforcement and co-operation organisations (Europol, Interpol). The role of the Olympic Security Co-ordinating Council, which was established by a Ministerial Decision of 5 February 2004 and will operate between 1 July 2004 and 4 October 2004, is to be mentioned also.

## 2. Structure of authorities

2.1. The 1975 Constitution, which was amended for the fifth time in 2001, includes extensive specific guarantees of civil liberties and vests the powers of the Head of State in an indirectly elected president<sup>5</sup>, who is advised by the Council of the Republic.

2.2. The Prime Minister and the cabinet<sup>6</sup> play the central role in the political process. Members of Greece's unicameral parliament (the Vouli ton Ellinon) are elected by secret ballot for a maximum of 4 years (proportional representation electoral system).

2.3. The country is divided into 13 administrative regions (9 mainland and 4 insular). These are further subdivided into 51 nomoi (prefectures), each with an elected nomarkhis (prefect). The current government's decentralisation policy has led to greater political influence for the regions.

## 3. The Judiciary

The judicial system includes

- the Areios Pagos (Supreme Court ), which deals with civil and criminal cases
- the Symvoulion Epikrateias (Council of State), which determines the constitutional legality of State laws and activities
- the Court of State Auditors, which has jurisdiction in financial matters.

A Special Supreme Tribunal handles constitutional disputes and validates elections.

---

<sup>5</sup> The president is elected by parliament to a 5-year term and can be re-elected once.

<sup>6</sup> The Cabinet, which is composed of the Prime Minister and the Ministers, constitutes the Government.

#### **4. Leading Minister and other Ministers**

**4.1.** Under the responsibility of the Prime Minister who has the overall responsibility of the government, the Minister of Public Order is clearly the leading minister and he is responsible for the Hellenic Police (Law Enforcement Authority) and the EYP (Intelligence Agency), who, among other tasks, have as their main mission the fight against terrorism).

**4.2.** In addition, the Minister of Mercantile Marine with the Coast Guard is responsible for the Law enforcement in merchant ships, ports, territorial waters and sea borders of the Country.

**4.3.** Other ministers involved are the Minister of Justice in the area of drafting laws and due to the fact that a special Public Prosecutor has been appointed for dealing with terrorism and serious violent crime. This special Public Prosecutor is attached to the Ministry of Public Order and his office is located within this ministry. Another Public Prosecutor also heads the Greek Financial Intelligence Unit (Committee of Article 7 of Law 2331/1995).

The Minister of Finance is involved in the fight against the financing of terrorism.

#### **5. The Greek counter terrorism machinery<sup>7</sup>**

This counter terrorism machinery mainly consists of :

- law enforcement bodies: in the field of investigations and intelligence related to terrorism namely :
  - a) Special Violent Crime Division assisted by other Hellenic Police Security Services
  - b) by the Coast Guard. They all have appropriate power for that purpose and act in close co-ordination with the special Public Prosecutor when terrorist acts occur.

---

<sup>7</sup> This point does not refer to the appropriate mechanism set up in the framework of the Olympic Games.

- The Security Services (State Security Division which belongs to the Hellenic Police) and the National Intelligence Agency (EYP) in the field of secret intelligence).
- and the special Public Prosecutor attached to the Ministry of Public Order.

## **5.1. The Hellenic Police**

Within the Hellenic Police which acts under the authority of the Ministry of Public Order, relevant police departments are the Special Violent Crime Division and the State Security Division. More specifically:

- the Special Violent Crime Division is in charge of the investigations, collection and use of the information (operational service) and
- the State Security Division is in charge of co-ordinating and giving guidelines to the regional services within the field of information/ intelligence.

Both the above services are directly and permanently involved in the fight against terrorism, including extremist Islamic activities.

**5.1.1.** Special Violent Crime Division counter terrorism unit has no regional or local structures but has a national competence. It acts under the direct direction of the chief of the Hellenic police and is responsible for

- the monitoring the activities of persons or groups who use violence and commit terrorist acts against the state, persons and properties,
- the prevention and the suppression of the above mentioned actions and
- the search for, the collection and the processing of information.

The Special Violent Crime Division<sup>8</sup> is an independent central Service in Athens, which reports directly to the Chief of the Hellenic Police and has national competence<sup>9</sup>.

Within its mission, the Special Violent Crime Division undertakes the investigation management and examination of any terrorist case and the collection of the investigation material that will constitute the base of the judicial proceedings under the direction of the special Public Prosecutor on terrorist issues.

Within its mission, and every time there is information or an incident within its competence, it acts immediately and within the absolutely necessary time.

All the police authorities of the country are obliged to report to the Special Violent Crime Division without delay any evidence or information related to its mission and to provide immediately and in priority any assistance when required.

In addition, in order to support the task of the Special Violent Crime Division, all national authorities, organisations and public utilities, legal entities and local authorities, are obliged to provide any relative information required to fulfil its assignment.

The investigative mission of the Special Violent Crime Division is supported by specialized laboratories of both the Forensic Science Division and the Bomb Disposal Unit (TEEM) of the Hellenic Police. In the field of information it is supported by both the State Security Division at Hellenic Police Headquarters regarding information co-ordination issues at the national level and by the National Intelligence Service depending on the case.

Apart from the official international co-operation channels, such as INTERPOL, PWGT etc, the Special Violent Crime Division, within the framework of reciprocity, directly co-operates with the relevant Services of foreign countries which provide their experience and their assistance in specific fields of investigation and exchange of information.

SVCD is manned with selected, capable, experienced, trained and well-versed Policemen who, in order to carry out their mission, are provided with modern technical equipment and are trained in using it).

---

<sup>8</sup> The Special Violent Crime Division co-operates with all police forces as well as other administrations. However the closest co-operation exists with the State Security Division. Special Violent Crime Division handles everything occurring on the crime scene while it is assisted by the Forensic Science Division and the Bomb Disposal Unit.

<sup>9</sup> The Special Violent Crime Division uses also the division for international police co-operation for the exchange with international partners.

### 5.1.2. The State Security Service

The State Security Division (a staff service which does not conduct any operational investigations), the Security Division of Attica and the Security Division of Thessalonica (both conduct operational investigations) deal with information/intelligence including information/intelligence on terrorism (along with other tasks such as the control of trafficking of weapons and explosives) and as a priority they support Special Violent Crime Division.

The State Security Division is mainly tasked as follows:

- collection, analysis, process of information and exchange of intelligence with domestic law enforcement and other authorities, as well as with the EU, international organisations and third countries, etc regarding extremist actions (in practice the State Security Division focus on terrorism and anarchism)
- study and analysis of the causes of terrorism and the ways for the protection of the State and the instruction of the Services regarding the means and methods of dealing with extremist activity.

The State Security Division, as a central staff service, issues counter terrorism guidelines for co-operation at national level and these guidelines apply to all regional services of the Hellenic Police at national and local level. It can be said that it acts as a hub (it forwards the information to the aforementioned police services that will deal with) and has a clear co-ordination role at law enforcement level.

## 5.2. The Coast Guards

In accordance with the current legislation, the Coast Guard is competent to apply the law to the area of its competence as it has the full police competence to apply the law to merchant ships, ports, territorial waters and sea boundaries of the country (with the exception of the passport control which falls within the jurisdiction of the Hellenic Police). Consequently, the Coast Guard is competent to combat terrorism in the aforementioned areas; for this purpose it makes use of all its existing means and structures and it has a collection and information/ intelligence processing Bureau for further exploitation of information as well as two special action units:

- a) the Coast Guard Underwater Activities Unit (in Greek: MYA) is specialized in dealing with terrorism at sea and unconventional operations for the monitoring of sea boundaries and
- b) the Coast Guard Special Operations Teams (in Greek: KEA), that have a special training in the field of policing and protection of “targets”, detection and disposal of explosive devices etc.

The Coast Guard may expand its investigations in areas outside its jurisdiction after it has notified the Hellenic Police and the special Public Prosecutor attached to the Ministry of Public Order).

## 5.3. The National Intelligence Service or EYP

The EYP, which includes a Sub-Directorate for International Terrorism and Organized Crime falls under the Minister of Public Order. More precisely, the Minister of Public Order is the political head of the agency.

In general terms, the EYP collects, processes and disseminates intelligence with respect to the country's national security to the competent authorities and for that purpose co-operates and exchanges information with relevant other intelligence agencies and law enforcement bodies internally and abroad. This also means in particular co-operation with the State Security Division and the Special Violent Crime Division<sup>10</sup>.

EYP members have neither law enforcement nor executive competence.

---

<sup>10</sup> The EYP also co-operates with the Economic Crime Prosecution Agency on issues of exchanging information related to its competence.

#### 5.4. The special Public Prosecutor attached to the Ministry of Public Order

The competence of the special Public Prosecutor is defined by article 4 of Law no. 2265/94, as replaced by article 18 of Law 2622/98. He is a Prosecutor of First Instance and is appointed by decision of the Supreme Judicial Council.

The independent special Public Prosecutor deals with terrorist cases and organised crime and his office is located at the Ministry of Public Order.

He has a national competence and can handle terrorist cases by himself as well as to co-ordinate prosecution by other prosecutors at local level<sup>11</sup>.

He has an important role regarding police counter terrorism activities in the area of investigations:

- He is informed about terrorist cases
- He supervises questionings of terrorist suspects and can be present during every investigative action.
- He supervises the investigation process and checks the evidence.
- The investigating body can consult the special Public Prosecutor on legal aspects of an ongoing investigation<sup>12</sup>.

Regarding counter terrorism police activities and in particular investigations by the Special Violent Crime Division, the special Public Prosecutor supervises police preliminary investigations with a particular emphasis on co-ordination and exchange of information when more than one police body is involved.

In addition, the special Public Prosecutor chairs the Board for the Co-ordination of Analyses and Investigations within the Hellenic Police and from that perspective he is also engaged in analysing terrorist issues at national level and assessing terrorist threats within the field of his competence. In view of investigating relevant cases, he may contact intelligence services in order to exchange information or data.

---

<sup>11</sup> The final decision is based on various criteria such as for instance the seriousness of the terrorist attacks, etc.

<sup>12</sup> However, the police retain operational control of investigation and of investigative tactics.



## 6. Co-ordination

The co-ordination of the Services of the Hellenic Police in a broader dimension and more specifically at national level is done by the Minister of Public Order and the Chief of the Hellenic Police.

### 6.1. Co-ordination with the Hellenic Police

The Board for the Co-ordination of Analyses and Investigations that meets weekly and more when needed was established pursuant to article 4(1) of Law no. 2265/94 as replaced by article 18 of Law no. 2622/98 concerning the fight against organised crime.

As mentioned in the Greek response to the questionnaire, this board “is formed by decision of the Minister of Public Order<sup>13</sup> and consists of one (1) chairing Prosecutor of First Instance (the special Public Prosecutor) and six senior officers of the Hellenic Police as members”. Its permanent members are heads of the :

- General Police Directorate of Attica
- Security and Order Branch of the Hellenic Police Headquarters
- Special Violent Crimes Division
- State Security Division of the Hellenic Police Headquarters
- International Police Co-operation Division of the Hellenic Police Headquarters
- Attica Security Division

Neither EYP nor the Coast Guard is part of this co-ordination mechanism.

---

<sup>13</sup> This body is under the direct supervision of the Minister of Public Order (the board submits its proposals, findings and programmes drawn up to him).

In general terms this Board is tasked as follows<sup>14</sup>:

- to study and analyse the different forms of organised crime, in particular special violent crimes
- to carry out systematic studies and analyses of any data on such crimes
- to establish programmes and setting guidelines to organise the law enforcement authorities in the most appropriate way and provide education and training to their personnel

The Board aims at coordinating a common and coherent fight against terrorism, rather than carrying an operational co-ordination and aims at facilitating operational investigations and exchange of information related to investigations. The Board has developed a spirit of co-operation with all the competent police investigative bodies and police security services. This applies to both general security issues and specific cases of criminal activity and this directly contributes to the fight against special violent crimes including terrorism.

In conclusion, it should be stressed that the Board for the Co-ordination of Analyses and Investigations for terrorism and organised crime is the main co-ordinating organ at policy level for combating terrorism and organised crime.

## **6.2. Co-ordination within the Ministry of Public Order**

The common membership of the Hellenic Police and the EYP to the same Ministry and the common priority<sup>15</sup> - the highest common denominator – imposes the exchange of information that overrides the level of personal contact and may compensate for the lack of daily automatic information exchange

Exchanges of information take place between the Hellenic Police bodies and EYP

---

<sup>14</sup> CF Presidential Decree no. 14 of 21-25/1/1995.

<sup>15</sup> They all deal with both domestic and Islamic extremist terrorism.

### 6.3. Co-ordination at national level

To a certain extent, it is possible to consider that the special Public Prosecutor for dealing with terrorist cases and supervision of police activities in this area (preliminary investigations) also acts in the field of operational co-ordination. He is informed of all terrorist cases and in terms of exchange of information he acts as a hub in order to ensure information sharing<sup>16</sup>. He also chairs the Board for the Co-ordination of Analyses and Investigations<sup>17</sup>. However, his role that is very valuable cannot be overestimated from an intelligence sharing perspective because he only acts within the police investigation sphere<sup>18</sup> and for instance he does not deal with any threat assessment.

In order to overcome difficulties and to increase co-operation and exchange of information, the various law enforcement bodies and security service host liaison officers. For instance, the Hellenic Police hosts officers of the Coast Guard while in EYP are seconded officers of the Armed Forces, of Hellenic Police and the Coast Guard).

---

<sup>16</sup> Together with the Head of Police and the head of the Special Violent Crime Division, the public prosecutor can decide who should deal with the current terrorist case.

<sup>17</sup> He can co-operate and coordinate with all police directorates in Greece.

<sup>18</sup> Including investigations by the Coast Guards.

## 7. The fight against the financing of terrorism

In addition to supervisory bodies such as the Bank of Greece, the Capital Market Committee and the Ministry of Development, the most important body is the Greek Financial Intelligence Unit is the Committee of Article 7 of Law 2331/1995.

All these institutions issue guidance and examine the internal system of the companies which they supervise as well as the fulfilment of obligation to monitor financial transactions and to submit suspicious transactions to the FIU.

The Greek FIU is an independent administrative authority and its work is regarded as a preliminary investigation stage, which is governed by the Penal Code and the Code of Penal Procedure.

The Chairman is a high ranking Judge and members are appointed by the Ministries of Finance, Development, Internal Affairs, Public Administration and Decentralization and Public Order, Capital Market Committee, the Bank of Greece and the Athens Stock Market. The members of the Committee are considered as « special employees of preliminary investigations » when they investigate cases and the Court does not exclude them from examination as witnesses. When the Greek FIU considers that a case is serious will submit the report to the competent Public Prosecutor for further action).

## 8. Legal provisions

Already before 11 September 2001, Greece had reviewed legal provision and law 2928/01 amended the Greek Penal Code and the Code of Criminal Procedure. Article 187 now punishes (to the degree of felony) “perpetrators of setting up and participating in criminal organisations (including terrorist organisations).” It includes criminal acts committed by criminal organisations and clearly defines a “criminal organisation.” Establishment of such an organisation is punishable by a 10-year sentence. Aggravating circumstances for the offence include “the manufacture, the procurement or the possession of weapons, explosive substances and chemical or biological materials or materials emitting radiation harmful to the health.” Article 187-A now offers lenient measures for everyone “who essentially contributes to the breaking up of an organisation or a gang,” offering sentence exemptions and reduced sentences. On the issue of recruitment of terrorists, Greek Penal Code, Article 187 provides for that “recruiting of a terrorist group is punished as instigation or mere complicity in a criminal act of setting up or participating in a criminal act.”

In the area of the two Framework Decisions of 13 June 2002 on the EAW and on Terrorism, the Greek Parliament adopted Law N° 3251/2004 on the EAW that also amends Law N° 2928/2001 on criminal organisations and other provisions on terrorism and organised crime.

## 9. Good practices and recommendations

### 9.1. Good practices

From an expert perspective, the main good practices in the area of law enforcement are as follows:

- The investigations by the Special Violent Crime Division take advantage of the existence of the State Security Service. Due to the fact that both are police bodies, co-ordination and co-operation is highly facilitated. In this field, the co-ordinating role that the State Security Service has in the police sphere is an obvious added value in terms of dissemination of relevant information.
- Within the Ministry of Public Order, the Board for the Co-ordination of Analyses and Investigations is also a good practice due to its role for advising the Minister from a police point of view. This board contributes to unify the action of the police in fighting terrorism.
- In some Member States there are special Public Prosecutors for Terrorism. However the Special Public Prosecutor in Greece is attached to the Ministry of Public Order and his office is located at the ministry. This is a unique case within the EU and really a good practice in terms of efficiency. He is informed of all terrorist cases, he can either carries out investigations by himself or participates in the investigations run by other prosecutors **NOT DECLASSIFIED**.
- In the field of the fight against the financing of terrorism, the FIU plays a particular role due to the pre-investigative authority which facilitates administrative action or judicial investigation. This enables the members of the committee to have access to all relevant data (bank accounts, register of immobile property, etc). The fact that the FIU is headed by a high-ranking Judge facilitates this process.
- **NOT DECLASSIFIED**

## 9.2. Recommendations

- The experts identify the existence of the Board for the Coordination of Analyses and Investigations as a good practice. However, neither the EYP nor the Coast Guards participate in the board and they could supplement the police perspective with additional and different views.

By virtue of the article 4 para.1 of the Greek Law 2265/1994 as amended by the article 18 of the Greek Law 2622/1998, apart from the Special Prosecutor and six (6) high ranking officers of the Hellenic Police, expert scientists specialised in terrorism issues can also participate in the Board for the Co-ordination of Analysis and Investigations in case of study or analysis of special issues; officers of the Armed Forces can also participate in this Board. This means that, according to the above mentioned Law, members of EYP and the Coast Guard may participate in the Board. Consequently the recommendation is to involve the EYP and the Cost Guards in the Board's works when needed.

- More importantly, the experts focus on the exchange of information, which is as already mentioned currently and mainly based on an ad hoc basis (case by case basis). The experts are convinced that co-operation is very good when involving police bodies. This applies in particular to the Special Violent Crime Division and the State Security Service<sup>19</sup>. The experts are also convinced that the State Security Service co-operates with the EYP when needed. However neither the Hellenic Police nor the EYP and the Coast Guards can take advantage of a permanent co-coordinating body that would organize and ensure operational exchanges of information on a routine basis. In the field, the recommendation is to use the information sharing system that was set up for the Olympic Games<sup>20</sup>.
- In addition, the Hellenic Police could have a State Security Division liaison officer within the EYP and vice versa. This would be valuable to jointly assess and define joint priorities/targets and common action/work. As a result joint teams could be set up in common areas of concern. This already applies for instance to EYP and the Coast Guards.

---

<sup>19</sup> The basic provisions governing Hellenic Police, EYP and Coast Guard provide for the exchange of information and the co-operation in terrorism matters. More specifically the provisions of the Hellenic Presidential Decree 378/1995, by virtue of them the Special Violent Crime Division has been established, provide that all the public and private services are obliged to provide SVCD with information on issues regarding the fight against terrorism.

<sup>20</sup> It should be mentioned that during the 2004 Olympic and Paralympic Games a modern, automated electronic system for the exchange of information using a central database –under the code name ‘KENTAVROS’- has been used among the State Security Division, Special Violent Crime Division, Security Division of Attica, EYP, Coast Guard and National Defense General Staff; it was proved useful and enhanced direct transmission and use of the provided information/ intelligence. This modern electronic system for the exchange of information will continue to operate on a permanent basis. As far as the existence of the permanent Coordinating Body is concerned, it should be noted that within the framework of the 2004 Olympic Games, a Special Group of high officials has been established and operated on a weekly basis regarding the exchange of information and assessment on terrorism issues; it was composed of representatives from the State Security Division, Special Violent Crime Division, EYP, Coast Guard and the Armed Forces. The experience acquired by the operation of this Group has been extremely positive and is intended to maintain its operation on a permanent basis; it shall convene once a month.



- In the domain of the fight against the financing of terrorism, the experts noted that the EYP is not part of the FIU. The recommendation of the experts is to include the EYP in the FIU or to organise regular meetings with the EYP. The EYP already co-operates with the SDOE (Economic Crime Prosecution Agency)<sup>21</sup> on issues of exchanging information related to its competence.
- Without prejudice to separate threat assessments by the Hellenic Police<sup>22</sup> and the EYP<sup>23</sup>, experts also recommend a common national threat analysis **NOT DECLASSIFIED**. The recommendation is to continue to mandate for that purpose the aforementioned Special Group that shall be responsible for drawing up and issuing a common monthly threat assessment on terrorism issues that will be based on information exchanged processed and evaluated by this group.

**NOT DECLASSIFIED** There is no central database because of the different nature of each service. Co-operation overcomes to a certain extent the difficulty to have several databases<sup>24</sup>. The aforementioned services co-operate in a harmonious and direct manner responding to any requests by providing each co-operating service with relevant information of interest. **NOT**

**DECLASSIFIED FROM THIS POINT UNTIL THE END OF THE DOCUMENT**

**(page 25)**

---

<sup>21</sup> The Financial Crimes Enforcement Unit (SDOE) is part of the Ministry of Finance and was established in 1995. SDOE, which is an investigative body, is connected to the Greek FIU.

<sup>22</sup> The Hellenic Police carries out regular and special, if needed, assessments of the threats posed by terrorist organisations, including those originating from Islamic extremism. In particular, the Special Violent Crime Division carries out a monthly assessment and analysis of terrorist threats at national level, including an analysis of threats posed by Islamic extremist groups, too. Every six months, the State Security Division drafts a general terrorist threat assessment, based on individual assessments made by the security and intelligence services. Relevant threat assessments are also carried out in cases of urgent terrorist events .

<sup>23</sup> The Coast Guards also have a separate threat assessment. The Coast Guards are informed about the threat assessments carried out by the Hellenic Police (State Security Division). They contribute to the formulation of the general threat assessment on a national level, especially as regards issues falling within its field of competence.

<sup>24</sup> There are some common databases, based at the Hellenic Police Headquarters which include such information as identity cards data, vehicle data, wanted persons, arrival and departures of aliens, implementation of the Schengen agreement, personae non gratae, etc. The services involved can draw useful information for their investigations from these databases.