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Greece: Unlawful police violence during protests must end and perpetrators held accountable

Amnesty International is deeply concerned over reports of excessive use of force and misuse of less-lethal weapons against protesters, ill-treatment of bystanders and attacks against photojournalists and journalists by riot police during and after demonstrations in Athens on 13 and 17 November 2014.

Amnesty International spoke to seven protesters, one photojournalist, one journalist and one bystander that found themselves at the receiving end of police violence during the latest demonstrations and reviewed audiovisual material and press articles to establish any human rights violations committed. The numerous allegations of excessive use of force received confirm that little action has been taken by Greek authorities to address the culture of abuse and impunity in the Greek police.

The organization is particularly concerned by continued attacks against journalists and photojournalists covering protests, which apart from the impact on their rights to physical integrity and to be free from ill-treatment, further have a detrimental effect upon freedom of expression.

Amnesty International urges the Greek authorities to put an end to excessive use of force by riot police and ensure perpetrators are held accountable.

Allegations of abuses during the policing of the commemorative demonstration for the anniversary of the 1973 student uprising

During the commemorative protest of 17 November in Athens for the 41st anniversary of the Polytechnic students' uprising against the Military Junta in 1973, riot police reportedly used excessive force against a group of peaceful protesters on Vassilisis Sofias Avenue in central Athens and sprayed them with chemical irritants from a close range.

A video widely shown in the media documents, amongst other things, a riot police officer, without provocation, pushing a protester who subsequently challenges him verbally; another police officer hitting a peaceful protester with his shield, who apparently tried to intervene; and other riot police officers spraying the protesters with chemical irritants from a very close range.

A., a 17 year-old female pupil who has asthma, told Amnesty International that she was walking with a friend during the demonstration, which was peaceful. She then heard a bang in front of them and riot police sprayed her and other protesters, who were standing on a pavement, twice on the face with chemical irritants. A. told Amnesty International: *"I told the police that I was feeling unwell and that I was an asthma sufferer. They looked at me and laughed....We felt like burning....Another protester saved my life by dragging me from there and getting me to a fast food shop behind Hilton hotel..."* A. was transferred by her father, who was also at the demonstration, to a nearby hospital where she received medical treatment for her breathing difficulties.

Later that evening, police including many officers of the DELTA unit on their motorbikes reportedly chased protesters in the Exarheia district of central Athens. During the clashes that ensued, testimonies gathered by Amnesty International and news reports speak of excessive use of force against protesters and bystanders, misuse of less lethal weapons including chemical irritants and stunt grenades, attacks against journalists and destruction of private property.

N, an Erasmus student from Germany described to Amnesty International how he was beaten randomly by riot police in the Exarheia district where he had gone with some other students to buy food. N. said: *"...It was peaceful but in a few minutes the place was full [of demonstrators and police]... We wanted to go home but the streets we normally take were blocked by police and we were scared of them because some weeks ago we had seen them beating up a man they had arrested... We looked for other streets but they were also blocked and suddenly we heard noises, there were bangs and light. We ran down another street until we noticed that it was also blocked by the police. I lost my friends and stood in a corner, hoping the police would not see me. I saw some policemen look at me and I raised my hands to show that I had no weapons... Then, between five and six officers came towards me and started beating me with their batons...I was lying on the ground, and they kept hitting me, and I was screaming from pain. Then they left me, I was lying in an embryonic position and then some other policemen came to me just to beat me up again...I had no weapons, I was no threat to anyone, I was unmasked, I did not say or provoke them in any way...The thing that makes me so angry is that they tried to hit my face all the time.. They could have easily ruined my eyesight..."* N. said that after his beating a man came to his assistance and later on he was transferred by ambulance to Evangelismos hospital. N. was mainly injured in the area between and around the eyes and his nose. Five days after the attack, N. told Amnesty International that he still has a strong headache.

In addition, a video widely publicized in the Greek media shows riot police hitting with their batons a man working in a kiosk at Exarheia square after he protested that police officers had taken away some bottled waters from the kiosk without paying.

Antonis Diniakos, a journalist from VICE told Amnesty International that DELTA police officers attacked him in the district of Exarheia, while he was recording with his mobile phone an incident of police intimidating some people in the area. The journalist was accompanied by Thanasis Troboukis, VICE'S editor in chief and Lefteris Bidelas, a colleague from Ethnos newspaper, and had gone to the area to cover clashes between police and protesters. Antonis Diniakos described that he was recording the intimidation incident with his mobile phone, when a DELTA police officer hit his leg with the front wheel of his motorbike, seemingly in order to intimidate him. The journalist said that as a result of the pain he felt he pushed with his leg the front wheel of the bike and protested over his treatment. Between two and three police officers then abandoned their motorbikes, ran towards him and threw him to the ground. The journalist said that while he was pushed to the ground one of the police officers fell on him and immobilized him by holding his throat with his hand and he started swearing at him. The police officers left Antonis Diniakos alone only when he and his two colleagues stated that they were accredited journalists. The journalist said that he still suffers from pain on his leg and that the doctors who treated him in the hospital found cuts on his hand and bruises on his back.

Allegations of abuses during protests against the Law School lock-out

Similar reports of excessive use of force, misuse of less-lethal weapons and attacks against journalists were also received during student protests on 13 November against the decision of university authorities to keep the Law School of the University of Athens closed for the days ahead of the Polytechnic uprising anniversary.

Konstantina was among a group of 30 to 40 students who stood outside the Athens Law School entrance on Massalias Street around 8 am that morning in order to protest over the

university lock-out. She told Amnesty International that, suddenly, riot police started to push them with their shields and kick the students in order to remove them from Massalias Street.

Later that morning, two students sustained serious injuries in what they described to Amnesty International and on national media as an unprovoked attack by riot police in a street near the Athens Law School. Yiannis, one of the two, told Amnesty International that he was attacked by a riot police unit from behind while he was talking on his mobile phone walking along a street next to the Athens University Rectorship Building which is near the Athens Law School. The student told Amnesty International how he was beaten and kicked by riot police, that he was thrown on the ground and that when he attempted to stand up he was hit on his eye with a baton. Some other students, he was walking with were also reportedly attacked by riot police at the same time. Yiannis reported that he suffered cuts and bruises all over his body and an injury on his eye, which was treated at the nearby Eye Hospital. Pictures of his eye injury were widely published by national media.

According to information received by Amnesty International, riot police left the scene without providing any medical assistance to the injured students, who were subsequently transferred to the hospital by other students who had run to assist them.

Amnesty International received reports of further incidents of police violence against students participating at a demonstration, in the evening of 13 November, against the University lock-out and the police violence around the Law School earlier that day.

According to the testimonies received, news reports and supporting audiovisual material, the attack took place at the end of the route of the student demonstration as the students had arrived at the Athens Polytechnic school on Stournari Street and forced open the locked gates in order to have a meeting about further actions over the lock-out. While many students managed to enter the university seeking protection, those who did not were reportedly subjected to police beatings and were sprayed with chemical irritants.

Yiannis Liakos, a photojournalist covering the protest, told Amnesty International that a riot police officer hit him on the forehead with a baton while he was taking pictures of the attack against the students in the entrance of the Athens Polytechnic School. Yiannis Liakos described the attack against the students as unprovoked, and explained that riot police sprayed the students with chemical irritants from a short distance and started beating with batons a group of, mainly female, students. According to media reports around 40 protesters sought medical treatment at the hospital following the attack against them on Stournari Street.

Investigations

Amnesty International understands that criminal and disciplinary investigations started into the reported attacks against the photojournalists and journalists during the demonstrations of 13 and 17 November 2014. The organization also understands that an Athens prosecutor ordered a preliminary criminal investigation into the video showing riot police using excessive force against a kiosk worker protesting for the theft of bottled water. A disciplinary investigation into the incident has also been ordered by the Greek police. However, no investigation has been announced over the reported excessive use of force against the students and other protesters during these demonstrations.

Recommendations

Amnesty International urges the Greek authorities to:

- Conduct prompt, thorough, impartial and effective investigations into all allegations of excessive use of force and human rights violations by law enforcement officials during the demonstrations on 13 and 17 November 2014 and ensure perpetrators are held accountable;
- Ensure that during the policing of demonstrations force is used only to the extent necessary, and only when non- or less violent means have failed or are unlikely to

achieve the legitimate object. Batons and similar impact equipment should not be used on people who are unthreatening and non-aggressive. Where baton use is unavoidable, law enforcement officers must have clear orders to avoid causing serious injury and that the vital parts of the body are excluded as target zones;

- Prohibit the dispersal of toxic chemical irritants by law enforcement officers that would increase the risk of unnecessary harm or unwarranted injury or death to persons, such as firing a metal cartridge of irritant directly at an individuals, using toxic chemicals in very high concentrations, using irritants in a manner likely to have indiscriminate effects such as when sprat or fired over a wide area, launching such chemicals at or near people who are in confined spaces where exists and ventilation points are restricted, or launching the irritants near elderly people, children or others who may have difficulty in moving away to avoid the dangerous effects of the toxic chemicals;

Finally, Amnesty International reiterates its calls for the establishment of a truly independent and effective police complaints mechanism and for riot police officers to wear individual number tags not only on their helmets but also on other parts of their uniform, and which are clearly visible.

Background

Amnesty International recognizes that policing demonstrations can be challenging and that law enforcement officials are sometimes required to use lawful force to maintain order and prevent crime. However, in carrying out their duties they must adhere to international law and standards.

On the use of force, Article 3 of the UN Code of Conduct for Law Enforcement Officials states “[I]aw enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty”. The use of force during non-violent public assemblies should be avoided. Where necessary, it should be restricted to the minimum required for the achievement of the legitimate objective, and in compliance with the principle of proportionality.

Toxic chemical are often described as non-lethal but in fact can have lethal effects so are better described as “less-lethal weapons”. Serious and unwarranted injuries can also result from the use of chemical irritants. The irritants rapidly produce “disabling physical effects” through sensory irritation of the eyes and upper respiratory tract which are supposed to usually disappear within a relatively short time. Physical effects of chemical irritants can include tearing of the eyes, breathing difficulties, coughing, choking sensations, chemical burns, vomiting, suffocation, severe allergic reaction and blistering of the skin depending on the chemical mixtures and concentrations.

Thus, chemical irritants should not be used in high concentration. Such weapons can have indiscriminate effects when sprayed or fired in canister over a wide area and can cause panic leading to stampeding so should not be used where people are confined in an area. There are certain contexts in which such weapons should never be used. These include as a means of dispersing a peaceful assembly, where there are older people, children or other who may have difficulty in moving away to avoid the chemicals, or in confined spaces.

For recent further information and extensive recommendations to the Greek authorities for the policing of demonstrations see:

A Law unto Themselves: A culture of Abuse and Impunity in the Greek police, Index: EUR: 25/005/2014, April 2014, <http://www.amnesty.org/en/library/info/EUR25/005/2014/en>

Policing Demonstrations in the European Union, Index: EUR 01/022/2012, October 2012, at <http://www.amnesty.org/en/library/info/EUR01/022/2012>

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