

Greek court frees men charged with attacking migrant workers

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Four men who stood trial for opening fire on a group of Bangladeshi strawberry pickers last year were set free by a Greek court on July 30.

The incident in question took place in April 2013 after around 200 workers had gathered at a farm in Nea Manolada to demand months' worth of back pay. More than 30 of the workers were injured as a result of the gunfire.

According to an article in Sunday's *Ethnos* the workers were owed over six months' worth of wages, amounting to €750-€1,000 per person.

Nea Manolada is located in the northwestern part of the Peloponnese, 260 kilometres (160 miles) west of Athens, and it is an area where thousands of migrant workers are employed in agriculture.

The verdict was unanimously delivered by a jury made up of three regular judges and four lay jurors, as prescribed by the Greek judicial system, fully acquitting farm owner Nikos Vaggelatos and his head overseer, Kostas Haloulos.

The other two men, overseers Giorgos Haloulos and Theodoros Apostolopoulos, were handed sentences of 14 years, 7 months and 8 years, 7 months respectively. However, they were also released after the court suspended their sentences pending appeal. The court's decision also gave both of them the option to redeem their sentences at the rate of €5 for each day in prison.

All four men were also unanimously cleared of the people-trafficking charges that formed part of the trial.

The verdict was completely at odds with the testimonies given by more than 40 prosecution witnesses during the trial, some of whom claimed that they were physically assaulted in an attempt to intimidate them from testifying. The court's prosecutor, Dionysia Papadopoulou, had also proposed that all four should be handed exemplary sentences.

Scores of migrant workers had gathered outside the

court in the city of Patras, 42 kilometres (26 miles) northeast of Nea Manolada, where the trial took place, many of them reportedly sobbing after the verdict was announced. A sit-in was then staged by the migrants outside the court in protest against the verdict.

In a statement delivered outside the court, Moisis Karabeilidis, the lawyer acting for the victims, described the court's decision as "shameful" and said "you can now see what sort of [working] conditions will now prevail in Nea Manolada".

Karabeilidis expanded further on this point in an interview he gave to *Ethnos*: "The situation in Manolada is very bad. There is a sense of fear and desperation in these people who expected that there would be some form of vindication.... At this point these people have no protection, while for most of them their residency permits are due to expire in September and there is a danger that they will be deported."

One of the victims of the shooting, Mohammed Liton Khan, also spoke to *Ethnos*, saying: "We have not worked in the farms since the day of the shootings, because no-one wants to employ us. Hence, we have no money and we have no food. We thought that at some point we would get what was owed to us so we could live. We came to Greece on foot to work and in the end we ended up wounded in hospital. Why?"

Migrant farm workers are among the most oppressed sections of the working class in Greece, with the incident at Nea Manolada being only an extreme expression of the brutal working and living conditions that these workers routinely face. Only last month, around 800 Pakistani fruit pickers went on strike for a week in the town of Skala in southern Peloponnese in protest against delays in payment, poor living conditions and racist treatment at the hands of the police.

According to *Ethnos*, Manolada's fruit pickers live in makeshift shacks "without power, water or the basic

means needed for their survival. They are fed by people who have been supporting them all this time. The shacks in which they live are former greenhouses that have been adapted so they can sleep in them.”

Such was the outcry against the court’s decision that Greek Supreme Court prosecutor Efterpi Koutzamani has intervened and asked to be informed of the court’s decision after this has been formally recorded. He also requested the record of the trial proceedings.

Koutzamani’s intervention is, however, extremely limited in nature given that she will only examine whether there are grounds to annul the people-trafficking charge for each of the four men who were cleared.

The trial’s outcome was also discussed in parliament, with former health minister Adonis Georgiadis being especially provocative in his defence of the court’s verdict. Responding to SYRIZA MP Nikos Voutsis’s denunciation of the decision as “shameful”, Georgiadis said: “What SYRIZA refuses to understand is that the court’s decision was delivered with a 7-0 majority. After a two-month hearing, three judges and four jurors unanimously decided that [the men] are innocent and that according to our justice system the case is closed. Instead of respecting this unanimous decision, you prefer to interpret it as a conspiracy between jurors and judges.”

Notwithstanding Georgiades’s overestimation of Voutsis’s tame denouncement of the verdict, which at no point questioned the legitimacy of the legal process itself, his own attempt to present the court system as a benign and impartial defender of the rule of law, is spurious to say the least. The very fact that Greek law requires three judges to sit on a jury makes a mockery of the notion of trial by one’s peers, as conceived by the bourgeois revolutions of the eighteenth and nineteenth centuries.

Furthermore, Greece’s judiciary has undue influence in the way lay jurors are selected. According to a guidance note published on the Athens Bar Association’s web site, the lists of eligible jurors for each town and city are compiled each year by local prosecutors. Preference is given “to those who can guarantee probity, impartiality, independence of opinion and social experience as well as those who have been educated to a higher standard than that prescribed by legislation.”

The guidance note also specifies that the list of eligible jurors for the city of Patras, where the trial was held, has between 600 and 1,000 names—a very small subset of Patras’s total population, which is over 200,000.

One only has to look at the lay jurors for this trial to find confirmation of the above. According to reports, they

were made up of two doctors, an engineer and a teacher—hardly a representative cross-section of Patras’s population. In his blog, local Patras journalist Konstantinos Flamis asserted that the four are “well known in Patras’s society.”

The trial outcome is a declaration that capital must be able to exploit workers at any cost and by any means. In a country where workers living standards have fallen by an average of 35 percent in the past four years of austerity, it will lead to a sharp intensification of this exploitation.

For its part, the Stalinist Communist Party of Greece (KKE) also postured as defenders of the Manolada fruit pickers. Denouncing the verdict as “provocative,” the party’s statement said that “Greek and foreign workers must resist the policies that increase the exploitation of all workers without exception.”

But the KKE’s choice of vehicle for this “resistance” is nothing else than the straitjacket of the trade union bureaucracy, of which the party forms an integral part through its All Workers Militant Front (PAME) trade union faction. The private sector and public sector trade union confederations, GSEE and ADEDY, have been instrumental in facilitating the passage of all austerity measures in the last five years, by calling limited 24-hour general strikes, which allow the passage of the measures while workers let off steam.

The GSEE released a statement on the trial’s outcome stating that “it will continue by all ways and means its struggle in order to finally bring to an end all instances of immoral entrepreneurial activity.”

Earlier this year, the GSEE set the bar on what constitutes an acceptable “entrepreneurial activity” when it signed a collective bargaining agreement with the Hellenic Federation of Enterprises (SEV), which set the minimum monthly wage at the paltry levels of €586 for those aged 25 years and above, and €511 for under-25s.



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