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PUBLIC STATEMENT

Greece

Possible adoption of Mehmet Emin Aga as prisoner of conscience

Amnesty International will adopt Mehmet Emin Aga as a prisoner of conscience and will call for his immediate and unconditional release should he be imprisoned after his appeal hearing on two separate convictions for "usurpation of the function of a Minister of a known religion in Greece", the human rights organization said in a letter to the Greek Government today.

Mehmet Emin Aga was brought to trial in Lamia on 3 April 1997 charged with "Usurping [the function] of a religious minister", an offence under Article 175, paragraph 2 of the Greek Penal Code, for which he received the maximum sentence prescribed by law: one year's imprisonment. In the second case, he was found guilty of "persisting in the act of usurpation" and sentenced to a further 12 months in prison, which were converted into a fine.

These convictions are just two of several imposed upon him by Greek courts in the past few years, all for the offence of "Usurpation". Following three separate trials in May 1996, November 1997 and December 1997 he was sentenced to a total of 50 months' imprisonment. Appeals are also pending in these three cases.

According to the written judgment by Lamia Court when "sending out to the Muslims of Xanthi written messages of a religious content" to mark five religious festivals in May, November and December 1995 and in January 1996, Mehmet Emin Aga "presented himself as Mufti" by writing "Mufti's office of Xanthi" at the beginning of the messages and by signing them as "Mufti of Xanthi, Mehmet Emin Aga" and thus "deliberately carried out duties which by their nature apply exclusively to the legitimate Mufti, E. Sinikoglou".

Amnesty International takes no position on the procedures to be followed for choosing religious leaders and has no view on who is, or who should be, the legitimate Mufti of Xanthi. The organization's concern in this case is based solely on its belief that by sending leaflets with religious messages to the Muslim inhabitants of Xanthi, which he signed as the Mufti of Xanthi, Mehmet Emin Aga was exercising his right to freedom of expression.

This right is guaranteed by international instruments which Greece has ratified and is therefore bound to observe. These include the International Covenant on Civil and Political Rights (Article 19) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), Article 10 (1) of which states that : "Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers."

In sentencing Mehmet Emin Aga to terms of imprisonment solely for the peaceful exercise of his right to freedom of expression, Amnesty International considers that Greece is acting in violation of international legislation which safeguards the right to freedom of expression.

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