

DAY 4: EXCEPTIONAL SCENES AND A WALKOUT

4th Hearing, Women's Section, Korydallos Prison, Athens, 15 May 2015

1. Court access and suitability

As far as the public nature of the trial is concerned, the same conditions applied, given this sitting was held in the same, wholly unsuitable hall in Korydallos prison as the previous three, rendering public access to the trial impossible.

Moreover, the venue that had previously been made available as a waiting room for court witnesses was today otherwise occupied by the 5th Court of Criminal Appeal for the trial of the members of the radical anarchist organisation Conspiracy of Fire Cells (SPF), which is accused of orchestrating the terrorist bombing campaign known as the Phoenix plan. It is important to note that members of the public who were interested in following the trial of those allegedly implicated in the Phoenix plan also found their access to the courtroom obstructed by police barriers on Solomou Street, just outside the prison. The authorities only allowed entry to those with accreditation for the Golden Dawn trial or to those participating in either of the two trials.

2. Proceedings begin

The hearing opened at 11.30am with the reading of the list of defendants. Some of the accused appeared in court, while the majority opted to be represented by their counsel. Although both he and his counsel were absent, Giorgos Perris was tried as though he were present, while the status of Antonis Boletis was simply referred to as “pending” by the presiding judge, as neither he nor a legal representative has appeared in court and nor has his death been confirmed.

3. Exceptional scenes

While the presiding judge was halfway through reading the list of defendants for the Golden Dawn trial, the handcuffed defendants in the Phoenix plan trial were being escorted along the corridor just outside the courtroom. As they passed the Golden Dawn courtroom, they broke into a chant of “fascists, boneheads, you’re bound for the gallows”, Opening the door into the public’s side of the room, they threw two small plastic bottles of water into the courtroom. The bottles fell at the feet of

the journalists. The Phoenix plan defendants were immediately pushed back by police officers and taken to the adjacent room to be tried. The phrase “fuck off” could be heard from the direction of the defence counsel and many of the defendants broke into insults, threats and aggressive gestures directed towards the public (witnesses and/or victims, civil parties and journalists), interpreters and civil action counsel.

In the chaos that prevailed, defendant Dimitris Koukoutsis stood out in delivering a series of threats and insults, directing such phrases as “we’ll meet again” and “we’ll crush you like maggots” to the general public, or “you’re time is coming, cunts” to the civil action counsel, and phrases, possibly in Arabic, to the interpreter. Raising his middle finger to the public, the defendant Ioannis Kazatzoglou threatened them with the words “I’ll show you.” Those present in the hall shouted “shame,” “fascists,” “boneheads,” while Pavlos Fyssas’ parents were visibly deeply offended.

The presiding judge briefly adjourned the sitting. At the same time, in the adjacent room, those accused of the Phoenix plan trial announced their refusal to be tried next door to Golden Dawn. That hearing was eventually cut short due to the absence of a lawyer and the court adjourned until 25 May 2015.

4. Defence counsel complaints

After the defendants of the Phoenix plan trial were escorted from the courtroom area of the prison and back to their cells, the presiding judge picked up from where she had left off, reading out the remaining names on the list of defendants. Panagiotis Michalolias, one of the defence lawyers, stated on behalf of the entire defence that the trial could not continue in the designated hall. He added that in response to the previous incident in the court, the defence would not be fulfilling their duties to their clients for the remainder of the hearing in a show of protest, and that they would be leaving the courtroom. He said the defence counsel would be appealing to the disciplinary bodies of the Athens Bar Association regarding the civil action counsel, whom they “have the misfortune of having to address as colleagues.”

Angelos Angeletos, defence counsel for Eleni Zaroulia MP, stated that lawyers had received threats and that “the literature of hate” against Golden Dawn had provoked the defendants of the adjacent trial in their actions.

The presiding judge stated that although security measures were weak, the proceedings would continue, given that the defendants responsible for the commotion had already left the courtroom area of the prison.

The defence counsel expressed their objection by beginning to walk out of the courtroom. The prosecutor said that their departure constituted an insult to the court.

Andreas Tzelis, civil action counsel representing the Fyssas family, pointed out that the defence counsel did not demonstrate this degree of sensitivity when prosecution witnesses had been attacked at the first hearing. The public protested that the defendants and their counsel were trying to impede the trial proceedings. Pavlos Fyssas' parents erupted in shouts, exclaiming that the defendants were in no danger, that they must be tried, and that the whole state apparatus was protecting these murderers while their child had been killed in the presence of policemen who did nothing to protect him.

Due to the withdrawal of the defence counsel, the presiding judge suspended the hearing and the court was adjourned until 10.30am on 4 June 2015, to the same venue.