



European network of legal experts in gender equality and non-discrimination

FLASH REPORT

Country:	Greece
Title:	Confirmation by appeal court of a first instance court conviction of a doctor who had posted an anti-Semitic sign at the front door of his office
Date:	10 May 2019
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Update of flash report:	Greece - Court conviction of the doctor who had posted an anti-Semitic sign at the front door of his office (PDF 51kB)
<u>Context</u>	
Issue at stake:	Discrimination in the field of access to medical services
Grounds of discrimination:	Religion or belief, Racial or ethnic origin
Field of application:	Goods and services
Source:	National court decision
Applicable law:	Article 1 of the anti-racist Law 927/1979

Content

Case development: A 14 month prison sentence, suspended for 3 years, was imposed by the second Three-Member Misdemeanour Court of Thessaloniki on a doctor who was charged because he had placed an antisemitic sign at a medical office granted to him with a contract by the Municipality of Thermaikos, in the Nea Mihaniona area, in Thessaloniki.

The case had been disclosed in March 2014, when the doctor, while he was a member of the National Organization for Health Services Provision, was arrested, after being accused and brought to court with the legal process of being caught 'in the act', which means that the act falls within the categories of crimes for which the defendant should be brought in prosecutor's office and then in court room right away without a deadline for the future.

Decision of the court: By examining his appeal against the judgment at first instance by the One-Member Misdemeanour Court, which had convicted him to a 16-month sentence, the Three-Member Misdemeanour Court confirmed that he was guilty of 'inciting racial discrimination' (and thus of violating Article 1 of the antiracist Law 927/1979), as well as for possessing weapons, due to the fact that knives were found in his residence.

In his defence before the court he claimed that there was a conspiracy against him, denying that he was the one who placed the sign, which, according to the indictment, contained the phrase "Jews are not welcome" written in German. The accused claimed his innocence, stating that someone else must have placed the sign without his knowledge.

The claims of the accused were rejected by the court which convicted him, by adopting the opinion of the public prosecutor.

Key points of analysis: The fact that the doctor who had been convicted by the first instance court was found guilty again by the appeal court with a very small reduction of

his sentence by only two months compared to the previous decision reveals that courts take seriously such violations of the principle of equal treatment in the field of access to goods and services.

Internet link source:

<https://racistcrimeswatch.wordpress.com/2019/04/18/3-54/>.