

COMMENTS ON THE PROSECUTION AND SENTENCE
OF EX MINISTER MR. JOHN G. ZIGHDIS

1. Towards the end of last March, as a result of the serious crisis over the Cyprus issue, the newspaper "ETHNOS" addressed itself to the leaders of the political world and asked them for their opinion on the situation, and on the solution they thought best for the benefit of both Greece and Cyprus.

The paper began publishing the findings on the 24th March with an interview with the Ex Minister Mr. John Zighdis. Mr Zighdis stated that he believed the turn of events in Cyprus were a danger not only to that country but to Greece as well. This, coupled with the crisis in the Middle East, created a situation which could be best handled by the formation of a Government of National Unity in Greece, and a return to democratic order.

2. That same afternoon, following the circulation of the paper, on the orders of the Military Governor, the editors of "ETHNOS" were arrested and held in the General Security Headquarters. Two days later, as Mr. Zighdis was returning from a two-day excursion outside Athens, he was arrested in the public highway like a common criminal. He too was incarcerated in the cells of the General Security in Bouboulinas Street.

3. If the publication was regarded as actionable, Mr. John Zighdis and the "ETHNOS" should have been prosecuted under the much publicised new Press Law (No 346 of 15.II.69, put into effect on I.I.70). They were not prosecuted under this Law, however, but under martial Law (forbidding the exercise of "anti-national propaganda") and the article 191 of the Criminal Law, which was draconially amended in December 1969, and which concerns the "Spreading of disturbing news".

The Press Law was used solely for the purpose of including the editors of the paper in the indictment, who bore only formal responsibility.

The prosecution under Martial Law aimed at depriving Mr. Zighdis and his fellow accused of their natural judges, namely, the Civil Court of the First Instance. They were arraigned before an Emergency Court Martial composed of one civil judge temporarily commissioned into the Army, who acted as President, and four other serving officers of the Army, all of whom were ignorant of the Law and inimical to the accused, regarding themselves as representatives of the "revolution". As a consequence of all this :

- a) The accused, as has already been stated, were arrested before the trial, whereas normally they would have been allowed free until such time, as they were convicted.
- b) The trial was held with only two days' warning, and the accused were not allowed any time either to consult each other or their counsel on their defense.
- c) In the event of their being found guilty, they were deprived of the possibility of appeal since no such measure is permitted following a verdict of an Emergency Court Martial.

4. According to the Law, but also according to the General Principles of the Criminal Code, the indictment should have included essentially the actionable publication and none other. But this principle was violated in fact the indictment contained phrases that were not included in the publication, in order to buttress the alleged offence. The indictment, therefore, was fraudulent.

5. During the course of the trial (31st March-1st April 1970) before the Athens Emergency Court Martial :

a) All the objections put forward by the defense, and particularly the basic and legally impregnable one concerning the incompetency of the Court Martial, were summarily rejected.

b) During the examination of the prosecution witnesses - all of them civil servants, Policemen and Trade Unionists appointed by the regime - the President of the Court made every possible effort to elicit replies damaging to the accused.

c) The judges, ignoring their proper function, did not preserve even a pretence of objectivity, but argued with the defense witnesses and the accused and indulged in political diatribes. In this kind of atmosphere the reply Mr. Zighdis made to one of the judges, who had declared that no elections would be held in Greece, and certainly Mr. Zighdis would not be able to take part in them as he would have died in the meantime, raised laughter in the Court. "Don't worry, Your Honour", Mr. Zighdis said, "I have made up my mind to live another hundred years, if necessary".

6. The verdict constitutes a monumental violation not only of the General Principles of the Criminal Code, but also of the rules of elementary common sense. According to the verdict Mr. Zighdis opinions were termed "news" in order to support the offence under the construction of article 191 of the Criminal Law. Further, his proposal for the formation of a National Government of National Unity and a return to democratic rule was termed a piece of "anti-national propaganda".

7. The verdict of the Court Martial led to a sentence of four and a half years of imprisonment and a fine of 300.000 metallic drachmas, i.e. 235.000 drachmas, for Mr. Zighdis, while the five men responsible for the ETHNOS were given similarly vicious sentences. The newspaper was forced to close down. At this moment all the accused are in Korydallios prison, except for the aged Mr. Economides, who, having been sentenced on formal grounds alone, was convicted to an annually renewable suspended sentence for reasons of health. It should also be added that the verdict was declared by four votes to one, the President (the only member of the judiciary on the bench) voting against.

8. The conviction of Mr. Zighdis and the other accused showed beyond any shred of doubt that:

a) The much publicised "freedom of the Press" is a device aimed at liquidating political opponents and the press.

b) The justice meted out by the military regime is a "euphemistic pseudonym" for arbitrariness.

c) Progress towards democratic normality is a blatant lie.

Thus by revealing the fraudulence of the regime's "liberal measures", the prosecution and trial boosted the cause of democracy in Greece enormously.

9. Mr. John Zighdis is an economist with a wide education and training. He holds a Ph. D. from the University of London (London School of Economics). Both as an economist and politician he was one of the prime movers of the industrialisation of Greece and served as Minister of Industry on three occasions. In the immediate post-war years as a leading official of UNRRA, he was President of the Committee responsible for compiling the first plan for the Electrification and Industrialisation of Greece.

A native of Rhodes, he joined the Greek Forces as a volunteer during the second World War, and served in Greece and in the Middle East. Politically he belongs to the Centre, having been elected as Member for the Dodecanese to the Greek Parliament since 1950, first as a member of the Liberal Party, and then its successor, the Centre Union Party.

He is primarily a European in his orientation. He was Vice-President of the National Council of Greece for the European Movement from its inception to the 1967 coup. He has represented the Greek Parliament at the Council of Europe, the BEC and NATO on many occasions.

