

**HO Ref: J1959073**

**Case ID: 018011518**

**URGENT**

**ATTENTION PLEASE**

**Home Office**

**NRC Croydon**

**13<sup>th</sup> Floor (Short)**

**Lunar House**

**40 Wellesley Road**

**Croydon**

**CR9 2BY**

**BY FIRST CLASS RECORDED POST**

DATED: -----

DEAR SIRs,

**RE: MISS ANTONIA ILIA - GREECE 16 MARCH 1959**

**Further Submissions under Rule 353 [Additional Submissions]**

We are acting on behalf of the above named client as her legal representative in her asylum application.

**NB:** Further to the Court Consent Order dated **18-4-2016**, of the Upper Tribunal according to which our client is to submit new evidence in support of her asylum claim and for leave to remain in the UK on human rights grounds, within a period of 3

months, after the expiry of which, it's being agreed, that, following a request, any further evidence, correctly submitted, will be considered by the Home Office, and further to previous submissions dated 08.06.2015, 16.06.2015, 03.07.2015 14.07.2015, 21.09.2015, 26.10.2015 and 7 January 2016, as a reply to your letter dated 13.10.2015 to Jeremy Corbyn, MP, submitted by First Class Recorded Post, we request you to consider the below as part of the applicant's further submissions under rule 353 in accordance also with the Court consent order.

**A. The Applicant's asylum claim and the original decision of the Home Office**

1. It is reminded, as also previously submitted in the original asylum application and the further submissions mentioned above, the applicant claims asylum in the United Kingdom for the following reasons:
  - a. Persecution on grounds of her political beliefs and her anti-establishment approach from the State, and in particular from the Greek judicial authorities, motivated by powerful political, economic and business actors linked to the judicial authorities who are largely corrupt. Given the circumstances of her case and the reasons which forced the Applicant to leave from Greece in 2005, the Applicant submits that her continued prosecution from the Greek authorities amounts to persecution and that in the event of her removal to Greece, where she will be detained so as to serve her sentence of 20 days and/or 80 months (as will be explained below) for offences for which she has been already maliciously accused and illegally convicted in her absence and be put for 18 months on remand in relation to the offences she will stand trial, abusively, there is a real risk that she may be assassinated while in detention, as she has been considered as a threat to highly influential and powerful political, business and judicial persons who would try to silence her.
  - b. Violation of her rights safeguarded under Article 3 ECHR – prohibition of torture, inhuman and degrading treatment as in the event of her forced

return to Greece, her imprisonment in Korydallos prison facilities (new Wing for Women) according to the statements made by the Greek authorities in the context of the extradition procedures, constitutes a real risk that she will be subjected to torture, inhuman and degrading treatment on account of the conditions of detention as well as on account of the significant standing inability of the Greek State,(Korydallos Women's prison & Greek NHS) to provide to the Applicant the appropriate and timely medical treatment required in order to address properly the medical problems,(normal & urgent), faced by her .

- c. Violation of her rights under Article 6 of ECHR -right to a fair trial as in the event of her forced return to Greece, her trial in relation to the offences for which trial is still pending "abusively-on account of expediency" and for which extradition was authorised by the High Court in the case of *Ilia v Appeal Court in Athens (Greece) [2015]EWHC 547 ,(based on the false statements of the Greek Prosecutors,Anna Zairi & Ioannis Aggelis,as per our previous submissions),will* not take place in accordance with the guarantees provided under Article 6 of the Convention, because she will be tried by the same persons, currently holding positions of superior power and/or persons belonging to the same system which persecuted her for her political beliefs and /or the presumption of innocence which is inherent of the right to fair trial, cannot apply in the case of the Applicant as she was repeatedly denigrated, "tried" and "found guilty" from an unprecedented politically motivated campaign of the Greek media against her, largely controlled, amongst other, by her persecutors, despite the number of years that lapsed since her flight from Greece. The Applicant reserves the right to submit further experts report in relation to this matter, which is in the process to be approved for legal aid.

2. The applicant's asylum claim was rejected as clearly unfounded, with no possibility to appeal the decision while remaining in the UK, on the following grounds:
- a. There is no real risk of persecution from the Greek authorities if returned to Greece, because it was considered that there is a functioning judicial system in the country, and, whilst there may be some corruption, it is not considered that this is indicative that her case will be prejudiced. Moreover, the Government in Greece has now changed and the new Government has appointed a new anticorruption Minister, therefore the applicant will be returned to Greece with a new Government and a "revised system". In addition, the applicant did not demonstrate either that death is virtually certain or that there is a real risk of treatment that would amount to a breach of Article 2.
  - b. That the High Court in the case of **Ilia v Appeal Court in Athens (Greece) [2015] EWHC 547** was satisfied that there is no real risk for an Article 3 ECHR violation because of the assurances given by the Greek Government that the Applicant will be detained in the new wing for women in Korydallos, under conditions which comply with the requirements set by the European Court of Human Rights in relation to Article 3 of the Convention, contrary to evidence presented during the court procedure of the serious risk of such treatment.
  - c. Her claim under Article 6 of the Convention was never examined in substance in her asylum application. In addition, the High Court in its decision **Ilia v Appeal Court in Athens (Greece) [2014] EWHC 2372**, rejected her claims and held that "there is no reliable evidence that the Court of Appeal in Athens will not hear the Appellant's case fairly and impartially " because the court rejected the defence of the Applicant that her prosecution is politically motivated on the basis of the evidence presented in the extradition proceedings.

3. It is stressed that the asylum claim of the Applicant was taken at its highest by the Home Office, in the sense that her credibility is not questioned and it is accepted that the facts relating to the Applicant's claim happened as she describes them.

#### **B. Additional evidence**

4. With these submissions the Applicant seeks to-
  - a. Provide further evidence on her personal narrative in relation to her past persecution before she left Greece proving that her prosecution by the Greek authorities, and in particular the judiciary, is persecution on grounds of political beliefs within the meaning of the 1951 Geneva Convention;
  - b. Provide further evidence on her fear of future persecution in the event she is extradited to Greece, as judicial corruption in Greece, notwithstanding the change of the Government and anticorruption measures or policies adopted, do not allow the applicant to have a fair trial so as to unveil her politically motivated prosecution; In addition the Applicant submits further evidence that her persecutors in the judiciary, continue to be in power positions and currently despite the change in Government ,hold positions of higher power and they continue to act in a way denying the Applicant her rights to fair trial strengthening the fear of the Applicant that if extradited to Greece, there is a real risk that during her detention she may be assassinated;
  - c. Provide further evidence in relation to an Article 3 violation in the event of her extradition and subsequent detention in the women's prison of Korydallos, contrary to the assurances provided by the Greek Government;
  - d. Provide further evidence and an expert's report that her right to a fair trial is compromised and jeopardized because of continuing persecution on

grounds of political beliefs, related to the largely corrupted Greek Judiciary, acting constantly, unfairly, against the Applicant, and to her politically motivated and controlled, by her persecutors "trial by the media"

**B.1 Further evidence on past persecution on grounds of political belief (politically motivated, illegal prosecution, conviction and disciplinary procedures against her)**

5. In addition to the evidence provided up to now, proving the persecution of the Applicant on grounds of political belief by the judiciary and/or Greek authorities, the Applicant submits further evidence as below:

**a. Witness statement of lawyer Papantoniou**

The applicant submits as evidence the **witness statement of the lawyer Alexios or Alekos Papantoniou (Annex 1)** which corroborates her statements in her asylum interview according to which in a meeting she had at the beginning of June 2005, in Galatsi, with the Mr Papantoniou and Mr Konstantinos Avramidis, (a renowned businessman with strong and wide-range political and business connections), the latter informed her that, after investigating her case, he confirmed his initial suspicion, that the Applicant's intense and long term vilification, by the media, was organized and politically directed, by major business interests. The statement also corroborates the statements of the Applicant that the recorded private conversations, which were repeatedly broadcasted in the media, as "audio tapes", (cassettes), attributed to the Applicant, were doctored, as Avramidis was informed, by Mr. Sakis Mavromatis, who knew, the perpetrators of this act. Finally, the statement also corroborates the statements of the Applicant in her asylum claim, that Mr Avramidis warned her that her life was in immediate danger, as the real aim of the Authorities apparently annoyed by her judgments and also by her revelations of the Lyberis



case and other serious cases of corruption in the area of justice, during her television interview, in the broadcast of the journalist, Makis Triantafyllopoulos, was to charge her, with the support of the media, with, as many accusations, as possible, even with false and fabricated evidence, with the long term intention to imprison her and to eventually kill her while in prison making her death appear as suicide or as an accident. Mr Papantoniou, the lawyer of Mr Avramidis, was present in the above mentioned meeting.

In addition, Mr Papantoniou, corroborates also the statements of the Applicant, that the same information and warning was given by Mr Avramidis, in another meeting with the Applicant, himself and Mr. Ioannis Stamoulis, the Applicant's lawyer at the time. It is reminded for your serious consideration, that Mrs Eleni Krommyda, personal notary of Mr Ioannis Stamoulis, stated, also, on her statement sent, by email, to the Applicant's sister, (Mrs Evangelia Ili), on 28.6.2012 and submitted to the Home Office, before the refusal letter, on 15.9.2014, through 1st bundle of evidence, (pages 497-511), that Mr Ioannis Stamoulis, requesting her, in the middle of June 2005, to draft urgently the relevant Notary Proxies for his representation on the Applicant's legal case, had confessed to her, during a private meeting, in his office, in the presence of the Applicant, that the Applicant's life was under serious threat and that for that reason, she had to leave urgently Greece. It is also reminded, that according to the statement of the journalist, I. Daskas, dated 7.8.2012, submitted to the High Court and to the Home Office on 15.9.2014, before the refusal letter, through the 1st bundle of evidence, (pages 456-460), following the Applicant's revelations about Lyberis case and other corruption cases, of political character, in the area of justice, during her television interview, in the broadcast of the journalist, Makis Triantafyllopoulos, in May 2005, Politicians used to request him and other Greek Journalists to publish false accusations against the Applicant, with the ultimate aim to vilify and finally charge her with false charges. It is stressed that the above statement of the lawyer, A. Papantoniou, which undoubtedly constitutes a fresh/new evidence, was not possible to be submitted previously to the refusal letter dated 22.5.2015 neither before the High Court Judgment dated 6.3.2015, due to the continuous refusal on behalf of Mr A. Papantoniou to state all the above true facts for the reasons explained on point 6, page 2 of his above mentioned Witness Statement, according to which, ".....I had refused, persistently, to state all of the above true facts, when I was asked, by both, Mrs Evangelia Ili, Mrs

*Antonia Ilia's sister, in person, shortly after the arrest of the last one, by the British authorities, in the year 2011, and by Mrs Antonia Ilia herself, only a few months ago, by telephone. The reason for such refusal was the current, against me, binding of the legal professional privilege, in relation to my, until recently, client, Entrepreneur, Mr Konstantinos Avramidis...."*

**b. Witness statement of lawyer Ioannis Giatras**

The Applicant submits as evidence the **Witness Statement of advocate Ioannis Giatras, dated 2.2.2016 (Annex 2)**, who has known the applicant since 1981, attesting of her character, her professional qualifications and professional stance in the judicial system. Mr Giatras corroborates the statements of the Applicant in her asylum claim about her politically motivated prosecution ,(persecution on grounds of political belief, followed by repeated flagrant violations of her presumption of innocence), and provides evidence in relation to the illegal, politically motivated, unfair dismissal of the Applicant from the judiciary, as well as her illegal/political prosecution and unfair convictions . Mr Giatras in his above mentioned statement expresses, also, serious concerns about the Applicant's physical integrity and life, if extradited to Greece.

It is reminded, that, as the Applicant stated and as Mr Giatras states in his Witness Statement, in 2003 on the basis of directions of the then Chief Prosecutor, Mr Dimitrios Papaggelopoulos, her duties as an interrogator judge were not renewed, by the Plenary of the Court of Athens, because according to the report prepared by Mrs Elli Toubanou, Prosecutor, (published also to the newspaper "TO VIMA" on 6.2.2005 and submitted to the Home Office, officially translated in English, as "ANNEX 2", through further submissions dated 14.7.2015), "her repeated disagreements with the prosecutor, about the pretrial detention of a number of persons suspected for drug related offences, posed a problem to the operation of the prosecution services and the Police." Moreover, in 2004 the Applicant was not promoted, also, due to her repeated disagreements with the Prosecutor, according to the officially translated in English and submitted to the Home



Office, as "ANNEX 1", through further submissions dated 14.7.2015, report of the Former Vice Chairman of the Supreme Court, Theodoros Lafazanos, despite her excellent appraisal reports up to that point, notwithstanding the minority opinion of the then Vice President of the Supreme Court, Mr Nicolaos Georgilis at the Plenary of the Supreme Court, (page 5 of judgment 28/2004 of the Plenary of the Supreme Court, which rejected the applicant's appeal against the Judgment 57/2004 of the Judicial Council of the Supreme Court, ruling with majority, against the promotion of the applicant). **The applicant submits, as evidence the above page of judgment 28/2004, as Annex 3.** As previously stated, the plenary of the Supreme Court in June 2005, **decided to dismiss the Applicant, through illegal and inappropriate procedures on the ground of lack of morals, mainly due to her disagreements with the Prosecutor on 24 cases about the pretrial detention of a number of persons suspected for drug related offences,** on the grounds of receiving bribes, in order to act as Interrogator Judge, in favour of different defendants on drug cases, although she has never been charged neither prosecuted till now for bribery in relation to such cases/disagreements, as the Competent Judicial Authorities, according to point 19 III. of Mr Giatras statement dated 2.2.2016, were unable to specify and justify, legally, the constituent elements of such bribes, **which leads to conclude that her dismissal for all her disagreements with the Prosecutor had a political character, as it constituted, according to Mr Giatras and the applicant, a political arbitrary punishment of her judicial-political and ideological opinions.** Mr I. Giatras also states at point 16, page 5 of his above statement, that according to the minority opinion, expressed and published in the Press, by the then well known, Magistrate, Vice President of the Supreme Court, Mr Nicolaos Georgilis "Any dismissal of any judge, in accordance with the Code of the Courts should have been judged previously, by the Competent Disciplinary department of the Supreme Court and not directly, by the Plenary". It is reminded, that the statements of Mr Giatras in his Witness statement coincide with the statements of Mr Iakovos-

Pavlos Giossakis stated at point 7, page 2 of his statement, dated 21.5.2015 (submitted to the Home Office through further submissions dated 16.6.2015), according to which *".....Such dismissal, was illegal, according to the opinion of the well known,for his legal knowledge and his bold personality, then Magistrate at the Supreme Court, Mr Nicolaos Georgilis, which had been published at the Press, because, according to the law, it should have been judged, previously, by the Competent Disciplinary Department of the Supreme Court and not directly and in such rush, by the Plenary...."*

**Moreover, all the applicant's disagreements,**(for which she was illegally dismissed, following a strict summary procedure, according to point 19 II. of Mr Giatras statement dated 2.2.2016), **related only to "Drugs Users "and "Drugs addicts", were vindicated,** according to point 11, page 3 of his statement , **at the final stage, from the Competent Court of Appeal. However, such crucial evidence were completely ignored, intentionally, by the Plenary of the Supreme Court, who dismissed the Applicant for her disagreements with the Prosecutor on 24 drug cases, despite the fact, that the Applicant had previously submitted legally, through her further submissions dated 5.4.2005, indicatively references of the final judgments of the Court of Appeal, which had vindicated her opinion. The applicant submits, as evidence the above further submissions, dated 5.4.2005, as Annex 3a.**

**Mr Giatras, also, states** in coincidence with the Applicant's statement in her asylum claim, as well as with the statements of Iakovos-Pavlos Giossakis and the Criminal Law Lawyer, Mr Spyridon Robotis, (points 11 & 4 of their statements respectively, submitted to the Home Office through further submissions on 16.6.2015) **that the Applicant's dismissal, in June 2005, by the Plenary of the Supreme Court, for "breach of duty" in "Kloponin civil case", constituted another political arbitrary punishment of her judicial-political and ideological opinions, as it was exclusively connected to her very high, provisionally enforceable for all the amount, compensation, ordered, in May 2004, under her**

capacity, as Judge to the traffic department of Athens Court, acting consistently as a leftish Judge, against the insurance companies interests and contrary to the strictly conservative status quo of the judiciary, in favour of the plaintiff, seriously injured victim, in a car accident, monk "Kloponin" It is stressed that her judicial discretion in "Kloponin case" was in accordance with the law and her left wing political beliefs, which were constantly inspiring her as a Judge to act with her judgments in favour of the poor, weak and vulnerable victims and against the big insurances companies interests. In addition, it was not related to any corruption/bribery, because, as we previously stated through our further submissions on 14.7.15, given the fact that the subsequent irrevocable acquittal of the lawyer of "Kloponin", Nicolaos Emmanouilidis, of active bribery and money laundering linked to bribery in such case, judged by the Applicant, {prosecuted and charged in her absence of passive bribery in such case}, with judgment 4898/10, argues, undoubtedly, {contrary to the false statement of the Greek Prosecutor, Anna Zairi submitted to the High Court on 3.7.13}, in her favour, as she cannot longer be prosecuted and/or charged for an offence, which according to the reasoning of the Court was never committed. However, the Applicant was convicted in her absence of 15 months imprisonment, converted to fine, with the same judgment 4898/10, for breach of duty, on the grounds, that she ordered a very high compensation, in "kloponin's" favour, although it was not proved any dishonest or improper motive on her behalf. According to Mr Giatras, only in cases of a proven act of corruption/bribery or in cases of illegal enrichment of the judge or of a third party, may the judicial discretion constitute the offence of "breach of duty". Nevertheless, the Applicant, according to his statement, is the only Greek Judge, who was dismissed and convicted of "breach of duty" on such arbitrary and unlawful grounds, due to her different judicial-political opinions, which were strongly linked to her judgments. The applicant submits, as evidence extracts of the

relevant pages of the reasoning and the dispositif of judgment 4898/10 related to "Kloponin case" .....,as well as pages 20,21,22 & 24 of the Judgment 5/2006 of the Plenary of the Supreme Court, as Annex 3b.

The Applicant was eventually also convicted in absentia with decision No 4898/2010 of the criminal court in relation to 14 cases of breach of duty, out of which in twelve cases because she disagreed with the prosecutor in relation to the pretrial detention of the accused and she was convicted of 15 months for each case, and in two cases for concealing reasons of her exception as a judge. The Applicant was eventually convicted in total to 80 months aggregate imprisonment sentence, which was subsequently converted to a financial penalty.

Mr Giatras, in his statement dated 2.2.2016 states and provides evidence, submitted as Exhibits 1-18, that he was the defence lawyer handling one of these cases, namely the "Poutoulidis Alexandros Drug Case", where the applicant, as an Interrogator Judge in this case,disagreed, officially, on 5-9-2003,with the Prosecutor, Pantelis Stragalis,(submitted as Exhibit 3 to Mr Giatras statement dated 2.2.2016), as she considered the defendant, on the basis of evidence provided, as a heroin addict ,as a result of which she did not order his pre-trial detention, contrary to the Prosecutor's opinion, but she only imposed the relevant restricting conditions. In that case the Applicant's judicial opinion was vindicated initially by the Three Member Appeal Court for Felonies with Judgment 718/2006,(submitted as Exhibit 4 to Mr Giatras statement dated 2.2.2016), as the accused was considered, as addicted to heroin and he was convicted to a misdemeanor sentence of 2 years and 22 days, and eventually also at a final stage by the Five Member Appeal Court B For Felonies with Judgment 1769/2011,(submitted as Exhibit 5 to Mr Giatras statement dated 2.2.2016), which also vindicated, the Applicant's judicial opinion, as the defendant "Poutoulidis Alexandros" was considered, again, as a heroin addict and

therefore he was convicted to a minimum misdemeanor sentence of 13 months, suspended for 3 years.

Mr Giatras, also stresses the fact, that according to Article 282 of the Code of Criminal Procedure, provisional detention is always non mandatory and the last resort only for felonies and it's subject to the discretion of the Interrogator Judge, to decide, according to the law, **(Article 282 GCCP, submitted as Exhibit 6 to Mr Giatras statement dated 2.2.2016)** and his/her consciousness, whom from the different defendants he/she will put or not in custody or if he/she will disagree with the Prosecutor or not in relation to that. In addition, as Mr Giatras states, according to the Article 53 of the Greek Penal Code, in combination with Articles 18 and 52 of the same Code, **(Articles 18, 52 & 53 of the Greek Penal Code, submitted as Exhibits 7 to Mr Giatras statement dated 2.2.2016)**, penalties for misdemeanor offences can never exceed 5 years of imprisonment. Consequently, in the light of the above, if the Applicant had imposed temporary detention to Poutoulidis, following the Prosecutor's opinion, she would have committed a serious judicial error, given the fact, that POUTOULIDIS was considered, as addicted to heroin and he was convicted at both stages to a misdemeanor sentence and not to a felony one.

Mr Giatras, also provides information on two more criminal cases, in his statement dated 2.2.2016 namely the "Loucos Athanasios Drug Case" and "Panayotis Politis Drug Case", constituting the basis for the Applicant's illegal/politically motivated prosecution and conviction of 15 months for each case, for the same reasons, and provides all the supporting undeniable evidence, **(final irrevocable judgments of the Appeal Court)**, that in both cases, the judgments-orders/disagreements of the Applicant with the Prosecutor, **(submitted as Exhibits 12 & 16 respectively to Mr Giatras statement dated 2.2.2016)**, in relation to the non imposition of pretrial detention were eventually vindicated by the Courts of Appeal, **(Judgment 3137/2004 of the Three Member Appeal Court for Felonies, acquitting permanently, Loucos**



Athanasios, as addicted to "VULBEGAL", vindicating the Applicant's judicial opinion & also Judgment 1971/2015 of the Three Member Appeal Court for Felonies, judging Panayotis Politis, as " Drugs addict" and convicting him with the misdemeanour sentence of 4 years, suspended for 3 years, vindicating the Applicant's judicial opinion again, submitted as Exhibits 13 & 17 respectively, to Mr Giatras statement dated 2.2.2016), showing that she exercised her discretion as a judge in accordance with Article 282 of the Code of Criminal Procedure and the Law on narcotics 1729/87 and mainly in accordance with her humanitarian left wing political beliefs that temporary detention should be a measure of last resort. Being inspired by such widespread and not at all sympathetic to the strictly conservative judiciary, left wing political beliefs, the Applicant, unlike her colleagues, was disagreeing repetitively with the Prosecutor in relation to the no imposition of temporary detention to different defendants/drugs addicts and drug users, despite the fact that the Judicial Council was always following the Prosecutor's opinion, as the Applicant firmly believed, as a left wing Judge, that she was obliged to exhaust her leniency in favour of poor, weak and vulnerable citizens, given the fact, that the existing prison system in Greece did not and still does not work properly and consequently, according to her opinion, imprisonment may destroy individuals, particularly the young people, without improving them, especially in cases of "Drug Addicts", where only detoxification and rehabilitation programs could be applied for their benefit and not their imprisonment, which would make impossible their treatment. The above mentioned professional attitude and political beliefs of the Applicant, closely interwoven between them, were manifested through her continuous official disagreements with the Prosecutor, as an extremely unusual phenomenon, within the judiciary and outwardly, as it annoyed not only the Prosecution Services but the Police, as well, according to the above mentioned on point B1.b report of the Prosecutor, Elli Toubanou and attested also at point 8 of Mr Giatras' statement, dated 2.2.16, at point 4 of the



statement of the lawyer, Mr S.Robotis, dated 8.5.16, at point 3 of Mr Papadoniou statement, mentioned above, dated 25.5.2016, (ANNEX 1), as well as at point of Mrs Margariti statement, referring to Mr Vazaios opinion, (Chief of Athens Court), mentioned below, dated 11.6.2016, (ANNEX 10) It is mentioned, for the record, that according to the Applicant, the Police, who were right wing in their majority, were annoyed by the Applicant's ruling to impose restricting conditions and not temporary detention to different defendants, because they wanted to justify most of the times the outcome of their investigation, regardless the legality of the charges and the personal status/vulnerability of each accused, something which the Applicant, as a manifested left wing Judge could never ignore. It is, also, emphasized for the purposes of these submissions, that the imposition of temporary detention and/or imprisonment sentence to different defendants is still so prevailing to the Conservative judiciary, linked directly to standing right wing political beliefs of the significant majority of Judges and Prosecutors, mostly opponents of the imposition of restricting conditions and/or of the conditional release of the accused, that the Union of Prosecutors, by their public announcement on 31.3.2015, were opposed, strongly, against the recent legislative reform, introduced, by the new left wing MoJ, Nicos Paraskevopoulos, adopting the leftist non custodial approach, related to the deflationary prison population measures, aiming to facilitate the conditional release of convicted prisoners with early conditional release schemes, as per the publications of zougla electronic paper below, dated 31.3.2015: (<http://www.zougla.gr/greece/article/skliri-anakinosi-isageleon-gia-ri8misis-ns-pou-katargi-tis-filakes-ipsistis-asfalias#.VRrvGgCE714.gmail> <http://www.zougla.gr/politiki/article/paraskevopoulos-sevome-tous-isagelis-ala#.VRrtdMNkBnk.gmail>).

Each of such disagreement, which constituted, according to the experienced criminal law Greek lawyers, Mr Giatras and Mr Robotis, the expression of her opinion, her judicial discretion and her personal, scientific and ideological

opinions, formed the grounds of her persecution, as she was prosecuted and charged, according to Mr Giatras, on purpose, illegally, in her absence, for "breach of duty", despite the fact that **Mr Giatras, as well as Loucos' lawyer, Mrs Panteleaki, in 2006, had provided all the supporting evidences,(submitted as Exhibits 1-4 & 10-13, respectively to Mr Giatras statement dated 2.2.2016), to the then interrogator Judge, Mr I.Sideris, on Poutoulidis and Loucos cases, that both defendants were "Drug Addicts" and that the Appeal Court had already vindicated at first stage the Applicant's, totally justified, by law,(article 282 of GCCP),opinion/disagreement** ; it's noteworthy, that, according to Mr Giatras, **the then interrogator judge, Mr I.Sideris** was struggling to prosecute and to charge the Applicant with "a corruption felony offence, such as passive corruption/bribery", but because he was unable to present and to justify any real evidence of bribery, due to the submitted undeniable evidence, justifying completely the Applicant's Judicial Opinion/Decision-Disagreement to impose on both defendants restrictive conditions, he **finally charged her, in her absence, illegally and on purpose with "breach of duty", due to her different and opposite to the establishment of the conservative judiciary Judicial-Political opinions.** It is emphasized for the purposes of these submissions,that following the above statement of Mr Giatras,the Applicant,does not have any doubt, that the then interrogator Judge,Mr I.Sideris,extremely right wing Judge,old trade-unionist,leading member of the dominant right wing party of the Union of Judges,was motivated to act in such illegal,unfair and arbitrary way against her,in 2006, in her absence, following orders of powerful and behind the scenes acting higher right wing Magistrates, and/or their transacting, businessmen and right wing leading Politicians,which he executed very willingly against her due to her anti-establishment approach and her left wing political beliefs,strongly linked to her judgments and totally disliked not only by himself,but by the entire Conservative Greek Judiciary,as well,which was strongly annoyed,by her continuous disagreements with the Prosecutor,as per

the above mentioned report of the Prosecutor Eli Toubanou. It's also emphasized, that soon after the conclusion of such unfair and politically manipulated investigation, Mr I. Sideris, as a reward for his services, he was promoted on 25.7.2007 by the Judicial Council of the Supreme Court to Magistrate of the Supreme Court and later on 1.8.2013, he was promoted by the right wing coalition government of Mr A. Samaras to a Vice President of the Supreme Court. In addition, his daughter, as per our previous submissions on 14.7.2015, was appointed in 2006 at the Greek Parliament. (<https://www.google.gr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=7&cad=rja&uact=8&ved=0ahUKEwi934vruOXOAhVHB8AKHdGEA4EQFghGMAY&url=http%3A%2F%2Fwww.zougla.gr%2Fgreece%2Farticle%2Fi-proti-gineka-isageleas-tou-ariou-pagou&usg=AFQjCNHj4H33gA0nd1pKgTiCiRQ8i1VVw0>).

Notwithstanding such evidences preventing the conviction of the Applicant for breach of duty for any of her disagreements, **and, despite the fact that, according to the statement of the co-accused, Iakovos-Pavlos Giossakis, dated 21-5-2015,** (previously submitted to the Home Office through further submissions on 16-6-2015), **his lawyer had presented, for the interest of justice, at the hearing all the final judgments of the Appeal Court, which had vindicated the Applicant's opinion, in all her disagreements, the Three Member Appeal Court For Felonies of Athens ignored them completely and they convicted her on purpose, illegally in her absence for her Judicial-Political opinions, with judgment 4898/10 to 15 months imprisonment based on the arbitrary and totally unjustified reasoning that she disagreed, in order to gain illegal benefit to herself or to somebody else, although the Court failed completely to specify and to justify such benefit, as well as the way and the person, who was supposed to have gained it, according to the article 259 of Greek Penal Code, (Article 259 of GPC, "Breach of duty", Annex 4) and the article 93 par.3 of the Greek Constitution, (Article 93 par.3 of GC, Annex 5), according to which, "Every Court Judgment must be specifically and thoroughly reasoned".**

According to the copies of the pages 2552,2556,2559 & 2604 of the Judgment 4898/10,submitted by Mr Giatras, as "Exhibits 8,14,18 to his statement dated 2.2.2016", and which related to "Poutoulidis, Loucos & Politis cases", although no evidences were submitted,that her disagreements were linked to any violation of the law or any dishonesty or any improper motivation on her behalf ,such as Corruption, the Applicant was convicted unlawfully of 15 months imprisonment sentence for each one of these decisions/disagreements, strongly linked, according to the above mentioned statements, to her political left wing beliefs ,which, according to both Witnesses,(Criminal Law Greek Lawyers Mr I.Giatras & Mr S.Robotis) constitutes a judicial lawlessness,on behalf the Judicial Authorities and an unlawful political persecution of her different views. It has to be stressed, that according to Mr Giatras Witness Statements dated 20.2.2016 & 22.3.2016,mentioned below,(Annex 6 & Annex 7 respectively ),*the Applicant is the only Greek Judge, whose disagreements / Judicial-Political Opinions with the Prosecutors, were targeted, although no linked to corruption and/or to any illegal act, and were punished, criminally, in such illegal and unprecedented way, which constitutes not only a direct violation of her right to a fair trial, Article 6 of ECHR, but also "Political Prosecution", in the sense of "Persecution of the contrary views and different Judicial-Political Opinions, from those, which were prevailing and still prevail in the conservative Judiciary"}*.

Mr Giatras submits, also, as evidence of the above unlawful punishment of the Applicant Judicial-Political Opinions a table based on the evidence of the page 2604 of the Judgment 4898/10,(Exhibits 8 & 9 to his statement dated 2.2.16) according to which, the applicant was also convicted, illegally to 15 months imprisonment ,converted later to fine, for her disagreements with the Prosecutor in 9 more Drug cases; Despite the fact, that the decisions per se , are protected under the rules of the protection of personal data, of those defendants,and for that reason it's very difficult for the Applicant and to any

non-Defence Counsel to request, from the Prosecutor or from the Chief of the Court, copies of the final Judgments of the Appeal Court, which vindicated all the Applicant's punished disagreements. **Mr Giatras has already been provided by the Applicant a P.O.A, dated 17.11.2016, (Annex 3a), in order to try to obtain such final Judgments. In addition, the Applicant has already invited and authorized officially the Home Office, by letter of her legal representative "Irving & Co Solicitors", dated 13.10.16 (Ref: KH/16061), (Annex 3a), to request official copies of all the above mentioned final judgments from the Greek Authorities, which will further substantiate the basis of her political persecution.** It is stressed that the above mentioned statement of the lawyer, I. Giatras, dated 2.2.2016, accompanied by reliable/undeniable evidence, (irrevocable judgments of the Appeal Court), which constitute fresh/new evidence, undermining the High Court Judgment, as far as it concerns the fairness and the impartiality of the proceedings at the Appeal Court, (as stated above on point 2c), was not possible to be submitted previously to the refusal letter dated 22.5.2015 neither before the High Court Judgment dated 6.3.2015, because the Applicant was informed on such developments by the Witness Statement of the co-accused Iakovos-Pavlos Giossakis, dated 21.5.2015, submitted to the Home Office through further submissions on 16.6.2015. **(Please see all the evidence attached, as Exhibits 1-18 to Mr Giatras Witness Statement dated 2.2.2016).**

**c. Witness statement of former judge Mrs Maria Margariti**

The Applicant submits a second Witness Statement, **dated 11.6.2016, (Annex 10)**, of former Judge Mrs Maria Margariti, also an anti-establishment judge dismissed from the judiciary (please see the first statement of Mrs Margariti, dated 11.9.2012 submitted already to the Home Office, before the refusal letter, on 3.11.2014), **testifying her communication on 9.11.2015, with her colleague and old friend, Mr Vazaios, former Chief at the Court of First Instance of Athens, (2000-2002, ie before, during and afterwards the crucial period of the interrogation process on the sensational "Lyberis case"), according to which Mr Vazaios clearly stated and justified his knowledge and belief, which has been, also, strongly supported by Mrs Margariti and**



many other judges , ie that the Applicant's conduct, as a Judge was constantly inspired by her strong left wing political beliefs , different from the other Judges and that her prosecution was and still is politically motivated and directed, fully supported, by the leadership of the Judiciary ,(unfair and excessive persecution, from the Greek Judiciary, on grounds of political beliefs and her anti-establishment approach, followed, by repeated flagrant violations of her presumption of innocence, soon after "Lyberis case", with the final aim her dismissal from the Judiciary, her politically, directed criminal prosecution/extradition, and her complete extermination, as her exemplary punishment), for the reasons explained in the above statement, as put by Mr Vazaios. Mrs Margariti justifies , also, in the above statement, her personal opinion about the reason why the Applicant has been targeted in such unprecedented way, by the Authorities, as well as the reason why she strongly believes, that her life will be under threat, if extradited to Greece. It is emphasized, that according to Mrs Margariti, Mr Ioannis Stamoulis, the Applicant's lawyer at the time had also confessed to her in 2006, during their collaboration, his personal concerns about the Applicant's unfair persecution and safety. For the purposes of these submissions we highlight some extracts of her statement: " ..... the supposedly "Purification-Catharsis" was used, shamelessly, by the Executive (Government), not only for expelling Judges, not liked, by the establishment, such as Mrs A. Iliia, ..... in case Mrs A. Iliia's extradition to Greece is allowed, her fate (physical integrity and life), is, completely, uncertain....., it is obvious now, that the Authorities want "her head on a plate", because she ..... knows many secrets of the system, which she is not at all afraid to reveal..... Therefore, being, completely, weak socially and financially, she must pay dearly, so that the top of the pyramid, such as Senior Judges and their transacting, Politicians and Entrepreneurs, cannot be touched;..... such opinion was, completely, shared, by her then alive solicitor, Mr Ioannis Stamoulis, who confessed it to me, in 2006, during various between us collaborations, in relation to my personal legal case.....". It is stressed that this statement, which constitute a fresh/new evidence could not be considered by the High Court neither by the Home Office previously to the refusal letter dated 22.5.2015, as it refers to facts which took place afterwards, ie on 9.11.2015.

- d. Extracts from the final judgments on the penal cases/disagreements with the Prosecutor on drug cases, on the basis of which disciplinary measures were taken against her, following which she was, illegally, dismissed from the judiciary; according to such final judgments, all her



**decisions/disagreements, for which, she was,illegally, dismissed, were eventually vindicated.**

The Applicant has already authorized Mr Ioannis Giatras, by a P.O.A dated 17.11.2016, (Annex 3a), to submit on her behalf an application to the Prosecutor of the Athens Appeal Court and/or to the relevant Greek Authorities, to allow him to receive official copies of the decisions No. 3431/2003, 2425/2003 & 365/2004 of the Athens Three Member Appeal Court for Felonies, which vindicated the disagreements with the Prosecutor of the Applicant not to order the pretrial detention of the persons accused in the above mentioned cases and that for that reason she was illegally dismissed, although she had properly applied the provisions of the Criminal Procedure Code. These decisions are indicative of the Applicant's political persecution. - Alternatively, the Applicant invites and authorizes the Home Office to request official copies of all the above mentioned judgments which formed the basis of her political persecution, from the Greek authorities. It is stressed, that such crucial fresh/new evidence were not available to be submitted to the High Court during the extradition proceedings neither to the Home Office before the refusal letter, because they were included to the Applicant's further submissions to the Plenary of the Supreme Court, dated 5.4.2005 ,(Annex 3a), which ,due to the rushed conditions of her departure from Greece, in 2005, had been given to her sister for safekeeping; the latter could not identify them for a long time but, finally, following an extensive research, she managed to find them recently and to send to the Applicant some days ago.

6. The applicant relies, in addition to all the other evidence produced up to date in her asylum application, to the above clear and compelling evidence that she is persecuted on grounds of political belief and that her extradition to Greece is politically motivated. As such, there is a real risk that if extradited and detained in Greece, she will be killed while in detention, as she was already warned when she had to flee Greece eleven years ago. As mentioned and evidenced in previous submissions, the possibility that the applicant may be killed while in detention or imprisonment and the authorities will

make it look like an accident or suicide are quite high taking into account that **there are many suicides in the Greek prisons which remain uninvestigated as per the submissions of the Applicant dated 14.7.2015**, and also taking into account that, according to recently reported incidents and as attested also in previous expert reports, there is no security whatsoever in Greek prisons and in particular in Korydallos Prison<sup>1</sup>. **The Applicant therefore resubmits that in the event of her removal to Greece, there is a real risk that she will be killed while in Korydallos prison and therefore there is still real risk of Article 2 ECHR violation.**

7. It is stressed that under Article 4, paragraph (4) of **Directive 2004/83/EC** on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, opted in by the United Kingdom and therefore legally binding- *“The fact that an applicant has already been subject to persecution or serious harm, or to direct threats of such persecution or such harm, is a serious indication of the applicant’s well-founded fear of persecution or real risk of suffering serious harm, unless there are good reasons to consider that such persecution or serious harm will not be repeated.”*

**8.** The Applicant submits that the fact that she has been subjected to persecution and direct threats to her life, which was accepted by the Home Office as the facts of her case and her credibility are not questioned, indicate that her fear is well founded. The burden of proof that there are good reasons to consider that such persecution will not be repeated, lies with the Home Office.

**9.** The Applicant submits further evidence under part B.2 of these submissions, in relation to the continued as well as her future persecution on grounds of political belief in the case she is extradited to Greece, which counter the reasoning of the Home Office in the original decision.

**B.2 Further evidence in relation to judicial corruption in Greece and future persecution by the judiciary - violation of the right to fair trial**

<sup>1</sup> [http://www.zougla.gr/greece/article/ediran-ton-tzoxatzopoulou-mesa-sto-keli-tou#.V6HyP47q\\_w4.gmail](http://www.zougla.gr/greece/article/ediran-ton-tzoxatzopoulou-mesa-sto-keli-tou#.V6HyP47q_w4.gmail)

10. The asylum claim of the applicant was rejected on the ground that there is a functioning judicial system in Greece, despite some corruption and on the ground that anyway the Government has now changed and the appointment of a new anticorruption Minister safeguards that that the applicant will be treated in accordance with a "revised" system.

11. In that respect, it is firstly noted that **the current Government in Greece, is not a purely left wing Government but is a coalition of a left wing and right wing Government of SYRIZA - ANEL.** ANEL, the right wing partner of the current coalition government, as well as some old collaborators/previous Ministers of the previous right wing Prime Minister and Leader of "NEA DHMOKRATIA", Costas Karamanlis, such as, the elected by "SYRIZA - ANEL", President of the Republic, Mr Prokopis Pavlopoulos and the current Anti-Corruption Minister, Mr D.Papaggelopoulos, have been and are still consciously and constantly by the left wing partner "SYRIZA", as the only mean of access to the always been conservative judiciary. According to the Professor of Political Science and History at Panteion University of Athens, Mr Giannis Voulgaris, has already been mentioned for a long time to numerous press reports the existing axle of "PAVLOPOULOS-PAPAGGELOPOULOS-THANOU", strongly supported behind the scenes by "COSTAS KARAMANLIS TEAM", as above, fact which was never denied, by Mr Karamanlis. In other words it seems, according to the professor, Mr Giannis Voulgaris, that this existing purely right wing originated axle, has committed to the leftist but unexperienced of the system "SYRIZA ", to manipulate the judiciary, which seems to be not only complicated but also corrupted. In that respect, The leader of ANEL, Mr Panos Cammenos, coming from the current right wing political party "NEA DHMOKRATIA", of which he was a leading member since 2012, plays a significant political role to the current coalition government, by influencing and even blocking and/or dictating crucial political decisions related among others to the appointment and the dismissal of Ministers, as it happened with the appointment of the current

Anti-Corruption Minister, Mr D.Papaggelopoulos, who was strongly supported by him and by the previous right wing Prime Minister, Costas Karamanlis, as we explain below on point 14. Also, during the recent reshuffle, in November 2016, Mr Panos Kammenos imposed to his left wing governmental partner "SYRIZA" the dismissal of the Education Minister, member of "SYRIZA", Mr Filis, due to his pure left wing opinions, which were opposed to the conservative right wing religious circles, strongly supported by Mr Kammenos. For the purposes of these submissions, we submit, as ANNEX 12a & 12b, extracts translated in English of the publications to the electronic paper "Άνεμος ανατροπής" and to the newspaper "Η ΚΑΘΗΜΕΡΙΝΗ", dated 10.10.16 & 8.11.16 respectively: (<https://t.co/U93zTggVko>, <http://www.kathimerini.gr/882612/opinion/epikairothta/politikh/anasxhmatismos-twn-anel-kai-ths-ekklhsias>). In addition, many of the persons in power while the Applicant was in Greece and who directly or indirectly contributed to her persecution because of her political beliefs, are also currently in power, holding higher positions, despite of their right wing political beliefs. Moreover, the powerful and corrupt elite of any country does not change from one day to another, just because the Government changes.

12. More specifically, and **indicatively** for the purposes of these submissions, **the businessman, Mr Georgios Apostolopoulos**, who has send to the applicant soon after her television interview on 29.5.2005, through the Police Station of Nea Chalkidona, where the Applicant used to live till she left Greece, in 2005, a legal warning for defamation to the media, (submitted already, as evidence, before the refusal letter, on 20.9.2014 through first bundle of evidence, pages 16-17), even though she never referred to him by name in public, (as the businessman who had a strong interest in obtaining Lyberis' clinic), during her interview on 29.05.2005, before she left Greece, as per the narrative of the applicant in her asylum claim and her asylum interview, **is a very powerful and famous businessman, in Greece and abroad, owner of the private clinic in Maroussi area of Athens, named**

"MEDICAL CENTRE", (IATRIKO KENTRO), with strong political and media connections and strong connections to the judiciary. It's noteworthy that the Greek Press refers to him, as "Founder of the Medical Empire". For the purposes of these submissions, we submit, as ANNEX 13, extracts translated in English of this publication to the newspaper "TO VIMA", dated 27.1.2008, (<http://www.tovima.gr/finance/article/?aid=186430#.V66A6SY1D74.gmail>). (It's reminded to the Home Office, that a copy of a DVD of the Applicant's crucial interview, broadcasted on 29.05.2005 on TV program "KITRINOS TYPOS" at Greek TV Channel "ALTER", with the Greek Journalist, Makis Triantafyllopoulos, followed by detailed explanatory notes in English, dated 26.10.2014 of the Journalist-Greek Correspondent in London, Charalabos Tsirigotakis, confirming and analyzing the content of the DVD, have been already submitted to the Home Office, before the refusal letter, with the second bundle of evidence, dated 4.11.2014. For the record, a better copy of this DVD is being provided, as Annex 12, through these submissions, followed by a copy of the explanatory notes in English, showing, that the applicant at 42,17 " min. of this interview said, that she knew very well the name of the businessman, who had been interested in obtaining Lyberis' clinic but she refused to say that in public; so, it's obvious, that the immediate reaction of Mr Apostolopoulos towards the Applicant, soon after her tv interview, proved beyond any doubt his suspicious interference in "Lyberis' case", since the Applicant did not name him in public). Mrs Margariti confirms in her statement dated 11.6.2016, submitted as Annex 10 to these submissions, that the Former Chief at the Court of First Instance of Athens, Mr Vazaios clearly stated to her, that the Senior Magistrate, Panayotis Athanassopoulos, who had directly requested him to intervene to the Applicant, in order to impose temporary detention against the Doctor Lyberis, was Mr Apostolopoulos friend. The Greek correspondent, Mr Tsirigotakis whose statement dated 2.4.2015 has already been submitted, as evidence in the asylum case of the Applicant, before the refusal letter, on 16.4.2015, though forth bundle of evidence, confirms, that he continues to be in the same



powerful position, as in 2005, with very strong links to the media, political power and the judiciary irrespectively of the change of the Government. According to Mr Tsirigotakis, Mr Apostolopoulos is still able to easily persecute and harm, using any mean, any individual with much less power than him, as the Applicant. Mr Giatras, also refers to him as a very powerful person today in his statement dated 2.2.2016, submitted as Annex 2 to these submissions, where he states, inter alia, on point 15, pages 4-5, that "... according to strong rumours, powerful businessmen and politicians, who wanted to obtain his clinic, such as ..... Georgios Apostolopoulos, owner of the private clinic", "IATRIKO KENTRO", had been strongly provoked, by the fact that, "Doctor Lyberis" was not put in custody but he was granted bail, by Miss A. Iliia according to the law, as "Addicted to cocaine" and not as "Drug Dealer" ..... Furthermore, despite the fact that her judgment was vindicated by the Appeal Court, which acquitted "Doctor Lyberis", as "Addicted to cocaine" ....., it goes without saying, that such powerful persons with such strong connections, even to the media, as well as to the judiciary, can, easily, influence, persecute and harm, using, by any way, their financial and political power, against, any individual with much less power than them, as Miss A. Iliia...." The Applicant submits that Apostolopoulos continues to have the power of moving the necessary strings in the judiciary, the media and executive for her persecution if she is extradited to Greece.

13. The applicant being a judge for 15 years and knowing how the Greek Judiciary functions, does not have any doubt, that the Public Prosecutors Anna Zairi and Ioannis Aggelis lied, intentionally, to the High Court with their statements dated 13.7.13 & 5.2.14 respectively, as per the Applicant's asylum claim, her asylum interview and her submissions dated 14.7.2015 & 16.6.2015, in order to secure her extradition to Greece, not on their own initiative, but following orders of powerful and behind the scenes acting higher right wing Magistrates, and/or their transacting, businessmen and right wing Politicians. Such transactions are not unusual in the judiciary, as Mrs Margariti confirms in her statement dated



**11.6.2016, submitted as Annex 10 to these submissions.** (For the purposes of these submissions the Applicant submits, as ANNEXES 14 & 15 the following recent extracts translated in English, from the newspaper "TO PARON" and from the electronic newspaper "KINHMA YPERVASI", dated 14.8.16 and 26.8.15 respectively, showing current scandalous behind the scenes transactions between Higher Magistrates, powerful businessmen and Politicians <http://www.paron.gr/v3/new.php?colid=3&id=96969&dt=2016-08-14%20:0:0> [http://kinima-ypervasi.blogspot.com/2015/08/blog-post\\_61.html](http://kinima-ypervasi.blogspot.com/2015/08/blog-post_61.html)).

The Applicant also submits, that the Prosecutors complied willingly with such illegal orders, motivated by their will to persecute her mainly, due to her political opinions, not sympathetic at all at the eminently Conservative Judiciary. **It is reminded, as per the Applicant's submissions dated 14.07.2015, that the second interrogator judge at the time of the politically manipulated criminal investigation of the Applicant's charges, Ioannis Fiorakis and the Public Prosecutor, Anna Zairi, who lied and misled the High Court on the extradition case, as regards the impact of the acquittal of the codefendants solicitors to the validity of the prosecution and charges against the applicant, hold, currently, both positions of higher power, as, (both of them right wing Judges, strong supporters of the dominant right wing party of the Union of Judges), they have been promoted to Judge and to Vice Prosecutor of the Supreme Court, on 5.8.15 & 27.3.15, respectively ; consequently, they can now affect even more and from a more powerful position the outcome of her trial and/or any hearing related to the applicant and/or any charges made against her ,by influencing all the inferior Judges and Prosecutors, who will eventually judge the Applicant, because, as per our previous submissions, dated 14.7.2015, according to the article 90 of the Greek Constitution, the career development of all Judges and Prosecutors is decided, only, by the Magistrates and Prosecutors of the Supreme Court, apart from the President and the Prosecutor of the Supreme Court, who have been always**

appointed, only, by the Council of Ministers. For that reason the applicant submits, that she cannot expect to have a fair and impartial trial if returned back to Greece, as her persecution on grounds of her political beliefs, will continue. For the purposes of these submissions, we submit, as ANNEX 16, extracts translated in English of the official publication of their promotion to the electronic newspaper "NEWSROOM", dated 4.9.2015 ([https://www.google.gr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwizqMm-0sTOAhXGshQKHYHqBMwQFggpMAE&url=http%3A%2F%2Fwww.lawnet.gr%2Fnews%2Fmeta8eseis-proagoges-kai-topo8etiseis-dikastikon-leitourgopolitikon-poinikon-dikastirion-35141.html&usq=AFQjCNFIO9ueEj6rZEQoEb0\\_eAhuSQzLGQ](https://www.google.gr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwizqMm-0sTOAhXGshQKHYHqBMwQFggpMAE&url=http%3A%2F%2Fwww.lawnet.gr%2Fnews%2Fmeta8eseis-proagoges-kai-topo8etiseis-dikastikon-leitourgopolitikon-poinikon-dikastirion-35141.html&usq=AFQjCNFIO9ueEj6rZEQoEb0_eAhuSQzLGQ)).

In addition, it is reminded, that the Public Prosecutors Anna Zairi & Ioannis Aggelis, (both of them right wing Judges, strong supporters of the dominant right wing party of the Union of Judges & Prosecutors), who intentionally lied and misled the High Court, as to the effects of the acquittal of the other codefendants of the Applicant, in relation to the felonies for which she will stand on trial, in the event of her removal to Greece, by stating that those are irrelevant to her case, are currently in power and they are very likely to retaliate against her, due to the fact, that the Applicant has repeatedly denounced both of them, by her statements to the Greek Ministers of Justice, and to the Greek Media, as already evidences from the numerous press interviews given, by the applicant on this matter, they have, already, been submitted, as evidences on her asylum claim. More particularly, the Prosecutor Ioannis Aggelis has been recently appointed, following the decision of the Highest Judicial Council of the Supreme Court, dated October 2016, as Leading Prosecutor of the Anti-terrorist Prosecution Department. Such an appointment, which unquestionably constitutes an upgrade of his position/duties in the Judiciary/Prosecution Authority, could lead to a further persecution against the Applicant, if she returns, as he can now, from a higher

position, retaliate, more efficiently, against her and affect irreversibly the Applicant's right to a fair trial, for all the reasons explained above on point 13 and previously though our further submissions dated 14.7.15. It is stressed that this last development, which constitutes a fresh/new evidence could not be considered by the High Court neither by the Home Office previously to the refusal letter dated 22.5.2015, as it refers to facts, which took place afterwards, ie on 06.10.2016. (For the purposes of this submissions, we submit translated in English, as ANNEX 16a, the following publication from the electronic newspaper "zougla.gr", dated 06.10.2016, showing his recent appointment, by the the Highest Judicial Council of the Supreme Court as Leading Prosecutor of the Anti-terrorist Prosecution Department:

([https://www.google.com/url?q=http://www.zougla.gr/grece/article/ston-isageliko-8oko-tis-antitromokratikis-o-ioanis-agelis%23.V\\_a5q49yIYM.google&usd=2&usg=AFQjCNFIHEFP99SCQkWYN4VVqIA0mJ9MIA](https://www.google.com/url?q=http://www.zougla.gr/grece/article/ston-isageliko-8oko-tis-antitromokratikis-o-ioanis-agelis%23.V_a5q49yIYM.google&usd=2&usg=AFQjCNFIHEFP99SCQkWYN4VVqIA0mJ9MIA)).

**14. Mr Dimitrios Papaggelopoulos, who was at the time of her past persecution in Greece the Chief Prosecutor at the Court of first instance in Athens, who initiated and pioneered the persecution against the Applicant with the non-renewal of her duties as Interrogator Judge in 2003, as per the narrative of the Applicant and Mr Giatras witness statement, is currently the Alternate Minister of Justice, Transparency and Human Rights and since 22<sup>nd</sup> September 2015 Anti-Corruption Minister, of the coalition of the left wing and right wing Government of SYRIZA - ANEL, who according to evidence provided, he is extremely right wing and his appointment to his current position to the coalition government SYRIZA - ANEL was strongly supported, by the right wing governmental partner ANEL, as per the publication on the electronic paper "news247.gr", dated 23.9.2015, ANNEX 18 (<http://news247.gr/eidiseis/politiki/dhmhtrhs-papaggelopoylos-apo-thn-antitromokratikh-kai-thn-eyf-toy-karamanlh-sthn-pataksh-ths-diafthoras.3679064.html>).**

As a Head of Athens Prosecutors, he was strongly criticized that he was continuously collaborating and complying very willingly with the orders of the then right-wing Government and for that reason he concealed a huge amount of right-wing high profile political & judicial scandals, by closing, illegally the cases, preventing in such way, their further judicial investigation, as he did scandalously in the case of the illegal building of the then right wing Prosecutor of the Supreme Court, Mr Georgios Sanidas, close friend of him and previous persecutor of the Applicant, appointed in 2005 by the right wing government of Kostas Karamanlis . Following the end of his mandate, as Head of the Athens Prosecutors, obviously, as a reward of his services, Papaggelopoulos, under the right wing premiership of Kostas Karamanlis, was appointed in a strong key governmental position and served as Director General of the National Intelligence Service from 14 July 2009 to 13 October 2009.

(For the purposes of this submissions, we submit translated in English, as ANNEX 17, the following publication from the electronic newspaper "PREZA TV" ,dated 14.07.2009, showing his continuous/scandalous transacting/corrupt role with the then right-wing government and his subsequent appointment, by the then right wing Prime Minister, Kostas Karamanlis, as Director General of the National Intelligence Service: <http://prezatv.blogspot.com/2009/07/mayo.html>). Therefore, he targets, as the majority of judges, the anti-establishment left wing judges, especially like the applicant, who annoyed the conservative judicial establishment with her leftist inspired judgments and keeps annoying it with her standing anti-corruption stance. His biography and previous career, as well the strong support provided to his current appointment, by the right wing governmental partner ANEL, are described in the links provided<sup>2</sup>, which for the purposes of these submissions the Applicant submits, extracts, translated in English, as ANNEX 18.

<sup>2</sup> <http://www.tovima.gr/politics/article/?aid=732709>

<http://news247.gr/eidiseis/politiki/dhmhtrhs-papaggelopoylos-apo-thn-antitromokratikh-kai-thn-eyf-toy-karamanlh-sthn-pataksh-ths-diafthoras.3679064.html>

More specifically, in 2003, when the Applicant's duties, as an Interrogator Judge, were not renewed, illegally, due to the fact that her continuous disagreements with the Prosecutor, in relation to the imposition of pretrial detention to different defendants, (drugs users & drugs addicts), on "drug cases", posed a problem to the Prosecution Services and the Police, as per the above mentioned on point B1.b report of the Prosecutor Elli Toubanou and the witness statements of Mr Giatras, (ANNEX 2), Mrs Margariti (ANNEX 10) and Mr Robotis, (submitted already through further submissions dated 16.6.2015), Mr Papaggelopoulos was the Head of the Athens Prosecutors and he exercised all his influence against the renewal of the Interrogator Judge duties of the Applicant, due to her left wing opinions. The Applicant contends, that following his further/new appointment on 22<sup>nd</sup> September 2015, as Anti-Corruption Minister, strongly supported by the right wing ANEL and the renewal of his position during the recent reshuffle in November 2016 (<https://www.google.com/url?q=http://www.zougla.gr/politiki/article/ta-who-is-who-ton-neon-ipourgon%23.WB0Y1n2aq7o.google&usd=2&usg=AFQjCNEzoYwbDxzmyqn1QzrOWbyWftsssA>), he is in a position of much higher power now and he is able to continue the persecution of the Applicant, a fortiori, as he comes from the judiciary where he has strong links, by which he has already targeted and persecuted the Applicant in the past on grounds of political beliefs, as above. It is emphasized, as we state below, that Mr Papaggelopoulos is also very close to the current minded President of the Supreme Court, Mrs Thanou, whose appointment in June 2015, by the Council of Ministers of the coalition government SYRIZA-ANEL, was, strongly supported, by him, old and close friend of her, who under his then capacity as Deputy Minister of Justice he exercised all his influence to the then MoJ, Mr Paraskevopoulos . Due to the strong existing links between them, Mr Papaggelopoulos was also appointed in August 2015, by Mrs Thanou, as provisional Minister of Justice, under her capacity as Transitional / caretaker Prime Minister, in the period between



August and September 2015, as described in the links provided, as ANNEX 18 .

Furthermore, Mr Papaggelopoulos, as a former Head of the Athens Prosecutors, has an additional interest to target and persecute the Applicant, unfairly, by all his means, if she returns. This is because the Applicant, as a previous anti-establishment Interrogator Judge on drug cases, knows a lot about the corrupt way the Police and the strictly conservative/right wing Prosecutions Services function in Greece, mainly on drug cases, which, of course, under the psychological pressure of “her unfair and politically directed trial by media”, she may reveal even in public, which undoubtedly will rekindle further, in an unpredictable way, her political persecution on his behalf. In addition, according to the Applicant, Mr Papaggelopoulos, due to his corrupt judicial past and his undoubted ambition to remain Politician, is extremely susceptible to corrupt pressure from external political and/or business forces, against the Applicant, violating further her right to a fair trial. It is stressed that this development, which constitutes a fresh/new evidence could not be considered by the High Court neither by the Home Office previously to the refusal letter dated 22.5.2015, as it refers to facts which took place afterwards, ie on 22.9.2015.

15. Mrs Vassiliki Thanou-Christophilou, President of the Supreme Court since 29<sup>th</sup> June 2015 is of extremely right wing opinions with strong judicial and political connections<sup>3</sup>. Mrs Thanou, who was elected in 2014, supported by the then right wing MoJ and her likeminded Trade Unionist, Mr Athanasiou, as a Vice President of the Supreme Court, was appointed scandalously, subsequently, by the Council of Ministers of the coalition of the left wing and right wing Government of SYRIZA - ANEL, as President of the Supreme Court, disrespecting the Seniority of Judges of the Supreme Court, which used to be customarily imposed in the judiciary; she has been a long term Trade Unionist, a leading board member since 2000 and between the years 2012-2014 & 2014-2015, President of the Union of Judges, representing, constantly, the dominant right wing party, as successor of the previous Judge/President of the Union and her likeminded Trade Unionist, previous right wing Minister of Justice, Mr

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<sup>3</sup> <http://www.tovima.gr/society/article/?aid=719465#.V5M2MPSbIB4.gmail>



Athanasidou, as per the following links:

[http://ccs.infospace.com/ClickHandler.ashx?encp=ld%3d20161204%26app%3d1%26c%3dim.s1.uk.df%26s%3dims1uk%26rc%3dim.s1.uk%26dc%3d%26eup%3d92.8.38.237%26pvoid%3d4b80780dd5714510b73c3ea63f706e85%26dt%3dDesktop%26fct.uid%3d86d2dee0294c4a8984314195473a3f96%26en%3d8VQDhNXFIEuKav5XXBQBxJa8QAj6%252ftpMxFSP2eFGBqI%253d%26ru%3dhttps%253a%252f%252fen.wikipedia.org%252fwiki%252fVassiliki\\_Thanou-](http://ccs.infospace.com/ClickHandler.ashx?encp=ld%3d20161204%26app%3d1%26c%3dim.s1.uk.df%26s%3dims1uk%26rc%3dim.s1.uk%26dc%3d%26eup%3d92.8.38.237%26pvoid%3d4b80780dd5714510b73c3ea63f706e85%26dt%3dDesktop%26fct.uid%3d86d2dee0294c4a8984314195473a3f96%26en%3d8VQDhNXFIEuKav5XXBQBxJa8QAj6%252ftpMxFSP2eFGBqI%253d%26ru%3dhttps%253a%252f%252fen.wikipedia.org%252fwiki%252fVassiliki_Thanou-)

[Christophilou%26coi%3d239138%26npp%3d6%26p%3d0%26pp%3d0%26mid%3d9%26ep%3d6%26du%3dhttps%253a%252f%252fen.wikipedia.org%252fwiki%252fVassiliki\\_Thanou-](http://ccs.infospace.com/ClickHandler.ashx?encp=ld%3d20161204%26app%3d1%26c%3dim.s1.uk.df%26s%3dims1uk%26rc%3dim.s1.uk%26dc%3d%26eup%3d92.8.38.237%26pvoid%3d4b80780dd5714510b73c3ea63f706e85%26dt%3dDesktop%26fct.uid%3d86d2dee0294c4a8984314195473a3f96%26en%3d8VQDhNXFIEuKav5XXBQBxJa8QAj6%252ftpMxFSP2eFGBqI%253d%26ru%3dhttps%253a%252f%252fen.wikipedia.org%252fwiki%252fVassiliki_Thanou-)

[Christophilou%26hash%3dE0419028581AD2A16A4921A37E246940&ap=6&cop=main-title,](http://ccs.infospace.com/ClickHandler.ashx?encp=ld%3d20161204%26app%3d1%26c%3dim.s1.uk.df%26s%3dims1uk%26rc%3dim.s1.uk%26dc%3d%26eup%3d92.8.38.237%26pvoid%3d4b80780dd5714510b73c3ea63f706e85%26dt%3dDesktop%26fct.uid%3d86d2dee0294c4a8984314195473a3f96%26en%3d8VQDhNXFIEuKav5XXBQBxJa8QAj6%252ftpMxFSP2eFGBqI%253d%26ru%3dhttps%253a%252f%252fen.wikipedia.org%252fwiki%252fVassiliki_Thanou-)

[http://www.dikastes.gr/dikastes/index.php/77-hidden/673-th,](http://www.dikastes.gr/dikastes/index.php/77-hidden/673-th)

[http://www.tovima.gr/society/article/?aid=719465#.V5M2MPSbIB4.gmail.](http://www.tovima.gr/society/article/?aid=719465#.V5M2MPSbIB4.gmail) Her

scandalous appointment in June 2015 was strongly supported, (as we state above on point 14 [and below on point c](#)), by her likeminded and old close friend of her, Previous Head of the Athens Prosecutors, Deputy Minister of Justice and currently Anti-

Corruption Minister, Mr Dimitrios Papaggeorgopoulos. [Her unanimous appointment](#), as President of the Supreme Court, by the Council of Ministers, was criticized at the Greek Parliament, by different MPs of the Opposition, as a governmental manipulation, in

[order to ensure her subsequent appointment in August in August 2015, as](#)

[Transitional/caretaker Prime minister. According to their statements, such a](#)

[manipulation has been considered provocative mainly because Mrs Thanou was until the day of her appointment at the Presidency of the Supreme Court a Trade-Unionist at the judiciary, fact which, according to them, should exclude, automatically, her from the list of candidates, as per the following links:](#)

[http://www.zougla.gr/greece/article/onidos-i-apofilakisi-roupakia#.VvHFvWS0Qo0.gmail,](http://www.zougla.gr/greece/article/onidos-i-apofilakisi-roupakia#.VvHFvWS0Qo0.gmail)

<http://www.tovima.gr/politics/article/?aid=743948>). For the record, it's noteworthy to be mentioned, that when the Greek academic, Mr Stavros Tsakyrakis, wrote a critical article, about Mrs Thanou, in 2016, in which he accused her of politicking, Mrs Thanou decided to sue him, arguing, that his article was an "*attack on her reputation and brought the position of Supreme Court president into disrepute*". However, Mr Tsakyrakis received the backing of other academics and students, as well as in press releases from the political parties, such as, "PASOK" and "POTAMI". In response, Mrs Thanou, wrote to "PASOK", criticising them for the content of their press release, an action that "PASOK"

Leader, Mrs Fofi Gennimata described, as "unacceptable" and as "institutional diversion" on her behalf, as per the following link:

<http://www.efsyn.gr/arthro/protofanis-paremvasi-thanoy-sta-kommatika-dromena>

Her biography and previous career are described in the link mentioned below, (<http://www.tovima.gr/society/article/?aid=719465#.V5M2MPSbIB4.gmail>), published to the newspaper "TO BHMA", (TO VIMA)", on 4.7.15, with titre: "Vassiliki Thanou-Christophilou: The Trade Unionist, who became President of the Supreme Court"), which for the purposes of these submissions the Applicant submits, extracts, translated in English, as ANNEX 19. It is stressed that, as per our submissions dated 14<sup>th</sup> July 2015, according to the article 90 of the Greek Constitution, (submitted as ANNEX 20), Mrs Thanou, as President of the Supreme Court, is headed the Highest Judicial Council of the Supreme Court, deciding about the promotion, detachment and the dismissal of all the judges. In addition, recently, according to the new law, introduced by the current MoJ, Mr Nicos Paraskevopoulos, Mrs Thanou, as President of the Supreme Court, can, also, now, for the first time in Greece, initiate disciplinary proceedings, proceed to disciplinary prosecution and even carry out personally any disciplinary investigation, against any judge and Prosecutor, even against those who having a higher position in the judiciary, do not follow her orders<sup>4</sup> and/or challenge the legality of her actions. (For the purposes of these submissions we submit extracts translated in English of the publication in the electronic newspaper "mononews", mentioned below as link 4a, dated 24.12.15, with titre:

<sup>4</sup> <http://www.tovima.gr/society/article/?aid=781065#.V6CuJgMor3k.gmail>

4a

<http://ccs.infospace.com/ClickHandler.ashx?encp=ld%3d20160802%26app%3d1%26c%3dim.s1.uk.df%26s%3dims1uk%26rc%3dim.s1.uk%26dc%3d%26eup%3d92.8.38.237%26pvaid%3def387804636c4bd0b1e830038388d33d%26dt%3dDesktop%26fct.uid%3dff6bb2d960e34279b62f547edf766f5f%26en%3d8VQDhNXFIEuKav5XXBQBxJa8QAj6%252ftpMxFSP2eFGBqI%253d%26ru%3dhttp%253a%252f%252fmononews.gr%252fmegalo-stichima-tis-dikeosinis%252f13511%26ap%3d3%26coi%3d239138%26npp%3d3%26p%3d0%26pp%3d0%26mid%3d9%26ep%3d3%26du%3dhttp%253a%252f%252fmononews.gr%252fmegalo-stichima-tis-dikeosinis%252f13511%26hash%3d7E0138E1CA21A8BDE6D20F3EB910A581&cop=main-title>

*“The meaning of the new powers of Mrs Thanou, President of the Supreme Court”, as ANNEX 21).* [Mrs Thanou, having already used these powers, granted to her, by the new law, has so far initiated and finalized the disciplinary proceedings, against the Appeals Court Prosecutor GeorgiaTsatani and the Head of Prosecutors at the Appeals Court , Isidoros Doghiakos, because they did not follow her orders and they challenged the legality of her actions, respectively, as we explain below on point c. The subsequent grant of unprecedented powers to her related to the disciplinary control of judges of all ranks, as described above, soon after her scandalous appointment, was also badly criticized at the Greek Parliament, by different MPs of the Opposition, as well as by the whole legal environment including the Union of Judges, as an unjust and an anti-constitutional action, in the sense, that it constitutes not only a mean of intimidation of all the judges but also a manipulated legalized mean of direct interference to the judiciary and in fact, a mean of control of the entire judiciary ,by the executive, as per the following links: \(<http://www.tovima.gr/society/article/?aid=781065#.V6CuJgMor3k.gmail>, <http://www.zougla.gr/greece/article/onidos-i-apofilakisi-roupakia#.VvHFvWS0Qo0.gmail>\).](#) In addition, her already implemented decision/action to create in November 2016 a separate Union of Senior Judges, was interpreted, by the legal circles, including all the existing Union of Judges, as an unacceptable action on her behalf to manipulate the whole judiciary and to eliminate any different point of view of the existing Union of Judges, in relation to her personal officially (*in front of the Prime Minister*) and in public expressed, anti-constitutional desire, to increase the age limit of retirement of Senior Judges; it’s remarkable, that the majority of the founding members of the recently created, following her decision, Union of Senior Judges, have been promoted to their current position during her Presidency at the Supreme Court, as per the following links: ([http://www.tovima.gr/society/article/?aid=842717#.WCGk6hA\\_1FI.gmail](http://www.tovima.gr/society/article/?aid=842717#.WCGk6hA_1FI.gmail), <http://www.zougla.gr/greece/article/idri8ike-nea-sindikalistiki-kinisi-anotaton-dikaston-ke-isageleon>,

<http://www.zougla.gr/greece/article/anikse-i-avlea-tis-32is-etisias-genikis-sinelefsis-tis-enosis-isageleon-elados>). It's also remarkable, that even the Judges of the Council of State refused to join it stating, publicly, on 4th December 2016, that any separate Union of Senior Judges, could disrupt the unity of the Union of Judges claims and prevent further the achievement of their common goals, as per the following link: (<http://www.zougla.gr/greece/article/i-dikastes-tou-ste-lene-oxi-sti-nea-enosi>).

Taken the systemic corruption prevalent in the judiciary as attested with the evidence below, and the serious shortcomings in the judiciary as reported by the GRECO Committee of the Council of Europe on Greece, dated 22.10.2015 to be analysed further down, it is more certain than not that the President of the Supreme Court can exert pressure on any judge to follow her orders. **Moreover, Mrs Thanou has a previous hostility against the Applicant**, which she had already expressed verbally and in practice, directly and indirectly, in different occasions, in the judicial environment, **based on the fact, that she was aware, that the Applicant, well known in the judiciary, for her left wing political opinions, strongly linked to her judgments, she (The Applicant) had never voted for her in the elections of the Union of Judges and that representing the Union of Judges, due to her language skills, to different seminars and conferences, in Greece and abroad, she (The Applicant) used to criticize, strongly, the conservative Greek judiciary and to express very openly her leftist views related to the way justice should be applied. Thus, on account of political retaliation against the Applicant, as leading member of the Union of Judges, she exercised all her influence against the Applicant's renewal duties, as an Interrogator Judge in 2003. In addition, for the same reason, she never made any official declaration neither took any other similar measure, on behalf of the Union of Magistrates, for stopping the unusual and intense, politically directed vilification, against the Applicant, in 2005 and afterwards, as she should have done, as an old trade unionist, according to the law and the customarily imposed Union practices, in order to protect her presumption of innocence and her right to a fair trial, as per the statements of the experienced Criminal law lawyers, Mr S.Robotis,**

(submitted to the Home Office through our further submissions on 16.6.2015), and Mr Giatras,(ANNEX 2). Mrs Thanou has, also, another strong interest to persecute the Applicant, because the latter has, strictly, criticized her, due to her serious and intentional, in her opinion, judicial omission, on the well known "MAZIOTIS CASE", during her sensational interview on 16th February 2014 in the high circulation newspaper "ΕΛΕΥΘΕΡΟΤΥΠΙΑ, (ELEFROTYPPIA)",with titre,"I know Judges, who have become rich", which was, also, published in the electronic newspaper "<http://www.zougla.gr/> ",on the same date, as above, as follows: <http://www.zougla.gr/greece/article/tonia-ilia-gnorizo-dikastes-pou-ploutisan#.V6u7lQJdeD4.gmail> ,(we submit extracts of this interview ,translated in English, as Annex 22),and also, due to the Applicant's continuous statements/revelations about the strictly conservative and politically, manipulated Greek judiciary, ,through the media, in 2005 and afterwards, especially during her extradition and asylum proceedings, as already evidences from the numerous press interviews given, by the applicant on this matter, they have ,already, been submitted, as evidences on her asylum claim. The Applicant has no doubt that, if extradited to Greece, following her anti-corruption stance through her eventual new revelations of corruption in justice, provoked by the continuous unfairness of the politically manipulated proceedings on her case, Mrs Thanou, taking advantage of her strong judicial & political links and her new reinforced unprecedented powers in the judiciary, she will give orders, against her to any Judge and Prosecutor including the ones of the inferior Courts, in relation to any hearing related to the applicant and/or any charges made against her, persecuting her on grounds of her political beliefs and violating her right to a fair trial. The Applicant contends, that due to the new law mentioned above, which allows Mrs Thanou to initiate disciplinary proceedings and proceed to disciplinary prosecution, against Judges and Prosecutor of all ranks, who do not follow her orders, such orders are now much more likely than ever to be executed, by them. Moreover, according to the Applicant, Mrs Thanou,



due to her political right wing past and her enduring ambition to become politician, when she retires, following the steps of her predecessor at the Presidency of the Union of Judges, Mr Athanasiou, is extremely susceptible to corrupt pressure from her old close friend and extremely right wing Anti-Corruption Minister, Mr Papaggelopoulos, for all the reasons explained above on point 14, as well as from other external political and/or business forces against the Applicant, violating further her right to a fair trial. It is stressed that this development, which constitutes a fresh/new evidence could not be considered by the High Court neither by the Home Office previously to the refusal letter dated 22.5.2015, as it refers to facts which took place afterwards, ie on 29.6.2015 and afterwards.

16. In addition, further to the evidence submitted on 14.7.2015 to prove that the premise that the change in Government as well as the fact that Greece as EU member state follows the rule of law and respects human rights, is misplaced and that corruption of the judiciary continues to prevail in Greece, despite the change in Government and measures taken to address it, the Applicant submits the following evidence supporting her claim:

- a. **Press Publication in the Electronic Newspaper "Οἶμος-Αθήνα"** of 2.11.2015, ([oimos-athina.blogspot.com/2015/11/blog-post\\_25.html](http://oimos-athina.blogspot.com/2015/11/blog-post_25.html)), with the title *"Where is the Independent Justice, for which they are talking about?"* according to which disciplinary proceedings, politically manipulated, were initiated against Prosecutor, Ilias Zagoraios, for appointing, according to the law, more than one prosecutors to investigate serious scandals and corruption cases in Greece; Apparently the use of disciplinary proceedings against judges and prosecutors as a measure to put pressure on them in the exercise of their functions is of a common use (Annex 23).
- b. **Publication of Zougla electronic paper, with title, "Leave Justice independent to carry out its task",** dated 13.12.2015, (Annex 24<sup>5</sup>),

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<sup>5</sup> <http://www.zougla.gr/greece/article/enosi-isageleon-elados-afiste-ti-dikeosini-aneksartiti-na-epitelesi-to-ergo-tis#.Vm3doTHUke0.gmail>



according to which **the Union of Prosecutors of Greece is calling for non-interference of various actors, in a general manner, to the function of the judiciary** and according to which **the President of the Union of Prosecutors of Greece, Constantinos Tzavellas, criticized very strictly the unclear and vague statement in the Parliament of the Alternate Minister of Justice, Transparency and Human Rights, Mr Papangelopoulos, related to a “coup” of the judges, provoking to the Public only distrust to Justice.**

- c. **Press publication in relation to the Prosecutor I. Aggelis, who filed a complaint against a number of prosecutors and/or judges for interfering in his investigations in relation to a high profile case and tried to manipulate the investigation and his actions, which however he later refused to support and provide his evidence and testimony to the investigative public prosecutor as a result of which the file was closed as the prosecutor considered that the complaints were unsubstantiated<sup>6</sup>. It is also noted that for this case, a disciplinary procedure was initiated from the President of the Supreme Court, Mrs Thanou, against the public prosecutor dealing with the case Mrs Tsatani<sup>7</sup>, and that Mrs Tsatani complaint to the Parliamentary Committee on Transparency against the Minister of Justice, Mr Papangelopoulos for interfering in her duties and for threatening and blackmailing her in order to act in a certain way.<sup>8</sup> (For the purposes of these submissions, we submit, as ANNEX 25,**

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<sup>6</sup> <http://www.zougla.gr/greece/article/sto-arxio-i-katagelies-tou-isagelea-efeton-ioani-ageli-stin-ipo8esivgenopoulou#.V41sI0ks551.gmail>

<sup>7</sup> <http://www.dimokratianews.gr/content/64558/ypeklepte-i-tsatani-ton-ypoyrgo#.V41oK29polx.gmail>

<sup>8</sup> [http://www.huffingtonpost.gr/2016/03/06/politiki-nd-papangelopoulo\\_n\\_9393070.html](http://www.huffingtonpost.gr/2016/03/06/politiki-nd-papangelopoulo_n_9393070.html) and <http://www.dimokratianews.gr/content/64558/ypeklepte-i-tsatani-ton-ypoyrgo#.V41oK29polx.gmail>

<http://www.dimokratianews.gr/content/64558/ypeklepte-i-tsatani-ton-ypoyrgo#.V41oK29polx.gmail>

extracts, translated in English of the publication in the Electronic Newspaper, "THE HUFFINGTON POST", dated 6/3/2016, showing, that a disciplinary procedure, based on the new law of the current MoJ, was initiated from the President of the Supreme Court, Mrs Thanou, against the Prosecutor Tsatsani, in order to put pressure on her, for acting in a certain way and that the latter complaint to the Parliamentary Committee of Institutions and Transparency against the Minister of Justice, Mr Papangelopoulos for interfering in her duties, for threatening and blackmailing her in order to act in a certain way. It also shows, that the independence of Justice has been strongly violated in Greece and that the new Anti-Corruption Minister, Mr Papangelopoulos and the President of the Supreme Court, Mrs Thanou can, illegally, use their powers, as a mean of pressure, against Judges & Prosecutors, in order to force them to act, according to the interests they represent. [http://www.huffingtonpost.gr/2016/03/06/politiki-nd-papangelopoulos\\_n\\_9393070.html](http://www.huffingtonpost.gr/2016/03/06/politiki-nd-papangelopoulos_n_9393070.html)).

- d. Press statement of Mr Venizelos, (published on the electronic magazine, "kourdistoportocali", dated 6.3.2016, submitted, as Annex 26)<sup>9</sup>, former Minister of Foreign Affairs of previous governments, on the interference of the Alternate Minister of Justice, Papangelopoulos, in the powers and independence of the judiciary by monitoring criminal cases, suggests who from the public prosecutors will handle cases and interferes in disciplinary proceedings against prosecutors and judges. The press statement highlights the democratic deficit in these processes and the violation of the rule of law.

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<sup>9</sup> <http://kourdistoportocali.com/news-desk/o-evangelos-venizelos-apantontas-se-schetikes-dimosiografikes-erotisis-ekane-tin-akolouthi-dilosi/>

- e. **The latest Greco Committee Report of the Council of Europe on Corruption prevention in respect of members of parliament, judges and prosecutors** in the context of the fourth evaluation round of Greece, **dated 22.10.2015**,

([https://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/Eval%20IV/GrecoEval4Rep\(2014\)9\\_Greece\\_EN.pdf](https://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/Eval%20IV/GrecoEval4Rep(2014)9_Greece_EN.pdf)), (**Annex 27**), according to which-

- i. *"[...] But the situation of the most senior positions in court and the prosecution service needs to be improved since for instance the method for their selection and their term of tenure creates a dependence vis a vis the executive. For similar considerations, the procedure involving the special court which hears cases involving members of government needs to be reviewed. The justice system suffers from severe backlogs, which generate risks of undue interference; adequate guarantees against delays in the early stage of proceedings are thus needed, for instance. More globally, the overall functioning of the justice system would need to be made more assessable, transparent and accountable through such measures as consolidated periodic reporting.<sup>10</sup>"*
- ii. *"[...]Yet, in accordance with the Eurobarometer survey 2013 on the perception of corruption (released in February 2014) which covers specifically the 27 European Union Member States, Greece sometimes remains characterised by the highest levels of perceived corruption. For instance, 99 % of those questioned consider that corruption is widespread in the country and 63% consider that it affects them personally in daily life. 93% consider that bribery and the use of connections is often the easiest way to obtain public services and only 11% consider that measures against corruption are applied impartially and without ulterior motives. When it comes to actual experience with corruption, 31% of respondents indicate that they know personally*

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<sup>10</sup> Page 3, para 3

someone who takes or has taken bribes, which is the third highest rate among the 27 EU countries. GRECO also refers back to the information contained in earlier GRECO reports, for instance the Third Evaluation Round Report (Theme I) – paragraph 115, on certain payment practices seen as common in Greece, and the ineffectiveness of anti-corruption authorities to deal with corruption-related cases. Recent periodic polls conducted by the Greek chapter of TI sometimes suggest an increasing resistance of Greek households to pay small bribes for public services but also in the private sector. Averages amounts and upper maximum of bribes are reportedly decreasing (at around 1400€) whereas the minimum amounts paid are increasing. This is sometimes commented as a possible result of the country's economic and financial difficulties<sup>3</sup>. On the other side, the multiplicity of reforms is occasionally perceived as an additional risk factor for red tape practices behind which criminal-minded decision-makers can even better dissimulate corrupt acts<sup>4</sup>. A number of Greek representatives met during the present on-site visit also pointed to the persisting complexity, fragmentation and lack of codification of rules and legislation with important secondary legislation missing sometimes. They also pointed to important delays in judicial proceedings as well as diverging case law, including on the constitutionality of individual situations. These are seen as additional risk factors.”<sup>11</sup>

iii. “[...]14. The GET further noted that the media have reported in the last few years about criminal proceedings being initiated against prominent political or economic personalities and some of the persons met on site referred to these as success stories. Other interlocutors pointed to the fact that so far only one or two senior personalities had actually been convicted for integrity-related issues. There have been allegations of apparent undue influences on the course of justice and persisting difficulties to process

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<sup>11</sup> Page 6, para 12

cases involving public figures<sup>6</sup>. The GET was told that there is still widespread perception in Greece that politicians enjoy broad impunity for their action due to the combination of partisan nepotism and of inadequate procedures for authorising proceedings against Ministers and parliamentarians. An overview of proceedings for criminal acts committed by MPs is not available, reportedly because no one has been designated – at least within the Prosecutorial services – to keep such figures. The GET was also told that the persisting absence of a general system of statistics for the judiciary actually prevented the production of such figures (the absence of a proper data collection and retention system was already pointed out by GRECO in 2001 and in 2010<sup>7</sup>). Likewise, the outcome of cases initiated against judges and prosecutors for non-compliance with the periodic declaration of assets remains unknown. The controversies surrounding the early closure of parliament on 4 June 2014 offer a particular illustration of the lack of serenity surrounding sometimes judicial proceedings involving senior figures<sup>8</sup>. Undue pressure on individual judges and prosecutors through public statements and other means, was also observed in such instances<sup>9</sup>. The Greek authorities recall that this does not mean that these interventions achieve their intended purpose.”<sup>12</sup>

- iv. **Issues concerning independence seem to arise mainly in respect of the most senior positions in the judiciary: the President and Vice-President of the Council of the State; the Supreme Court President, Vice-President and Prosecutor; the Court of Audit President and Vice-President and General Commissioner (see also paragraph 87). As discussed hereinafter, in various respects these positions are subject to a potentially strong influence of the executive. When it comes to their appointment to such posts, the judges are to be**

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<sup>12</sup> Page 7, para 14

*elected by the Council of Ministers for a maximum term of four years (see paragraph 87), upon a proposal by the Minister of justice. The strong political role of the government combined with the absence of a specified term, means that these senior functions of judges and prosecutors are theoretically replaceable at any time, along the changes in parliament and government. Rendered by a) the Supreme Court President, in case of civil and penal court judges, b) by the Supreme Court Prosecutor, in case of prosecutors, c) by the General Commissioner of the State of the ordinary administrative courts, in case of ordinary administrative judges, d) by the President of the Court of Audit, in case of Assistant Judges and Rapporteur Judges of the Court of Audit, e) by the Court of First Instance President, in case of Magistrate Judges (article 51 of Law 1756/1988).*

- v. [...] 51. *At the time of adoption of the present report, the Greek authorities have provided assurances that in practice, appointments to these senior functions coincide with the last few years of the professional career of the magistrates concerned. They thus leave these functions upon retirement, not as a consequence of a replacement decided by the executive. More importantly, the initiation of disciplinary proceedings is the exclusive responsibility of the Minister of Justice. At the same time, the most senior positions imply important responsibilities within the judiciary, such as in the special courts of articles 86 and 100 of the Constitution including in respect of the control of other judges and members of the executive (see the procedure involving the special court of article 86 of the Constitution, discussed in paragraph 126). One of the Vice-Presidents of the State Council met during the visit was also the Head of the Inspectorate for Administrative courts, the President of the Special Court for Mistrial cases and a member of the Supreme Judicial Council for administrative courts. Civil society bodies and the media have reported about controversies triggered by the way judicial practitioners are sometimes*



publicly criticised by senior political figures when they deal with criminal cases involving such officials. This suggests that undue pressure exists in practice and may have important repercussions at many levels. Finally, the GET recalls the importance of preserving the confidence of the public and the respect of the judiciary and the legal profession. To achieve this, professional, non-political expertise of the peers should be involved in the selection process. For the same reasons, the Minister of justice should not have the exclusive responsibility for the initiation of disciplinary proceedings. GRECO recommends i) revising the method of selection concerning the most senior positions of judges and prosecutors so as to involve the peers in the process and ii) to consider amending the modalities for the initiation of disciplinary proceedings in their respect.”<sup>13</sup>

- vi. “[...] 120. **The Prosecution is organised as a unified hierarchical structure under the direction of The Supreme Court Prosecutor. The Prosecution acts uniformly and indivisibly, meaning that each prosecutor may act as a representative thereof. Prosecutors have to execute the orders of their superiors** but in the execution of their duties and the expression of their views, they **may act** independently, abiding by the Law and their own consciousness. Orders, general instructions and recommendations in relation to the exercise of their duties can be issued by: a) the Supreme Court Prosecutor to all prosecutors of Greece; b) the Courts of Appeal Prosecutor and the Courts of First Instance Prosecutor to all prosecution officials subjected to the jurisdiction of the Courts of Appeal Prosecution and the Courts of First Instance Prosecution respectively (article 24, Law no. 1756/1988).”
- vii. [...]125. The GET obtained conflicting information on this matter. The replies to the questionnaire indicated that according to Law 1756 / 1988, **the hierarchical dependence plays a major role and that the criteria**

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<sup>13</sup> Page 35, para 82

*contained in the internal rules of the prosecution office are to be taken into account. As a result, cases are allocated in the first instance court according to the rank and seniority of each prosecutor, the rapid and effective completion of each case, the importance, the complexity and the level of difficulty of the case and the workload involved. During the on-site interviews, members of a prosecution service to the first instance court of Athens indicated that cases are distributed by lot and in a way which ensures an equal distribution of the workload. The senior prosecutor in charge cannot, as a rule, give a specific case to one of his/her colleagues in particular. There is thus a need for Greece to address the causes for these apparent radical differences for a given identical prosecutorial level. Any excessive divergences in this area could create unnecessary risks for the procedure and open the door to discretionary application of procedural rules. Such uniform rules would also need to address the withdrawal of a case from a prosecutor, on the basis of objective criteria to ensure a balance between the needs for effectiveness and timeliness of the prosecutorial action on the one hand, and the interests of the State or private parties on the other hand. GRECO recommends that precise case management rules be drafted and applied consistently within the prosecution services, including criteria for the assignment and withdrawal of a case."*

**17. The Applicant submits that all the above evidence, prove that there continue to exist serious problems and shortcomings in the judiciary in Greece, facilitating corruption and capable of exerting political, business and economic influence over the judiciary which, in the circumstances of her case, will surely violate her right to a fair trial in the event of her extradition to Greece and will prejudice the outcome of any cases and / or complaints she made up to date against the Greek judiciary.**

**18. To support the above conclusions and to prove her well founded fear of persecution by the judiciary and in general the Greek authorities, the Applicant further submits the following evidence:**

- a. .Second Witness statement of Lawyer I. Giatras, dated 20.2.2016,accompanied by undeniable evidence, (Public documents,Texts of Greek Law,Irrevocable Judgments of the Appeal Court), submitted as Exhibits 1a-23a (Annex 28), in his capacity as the lawyer of the applicant representing her before the Greek Courts, who testifies that the Appeal Court on 3.2.16 unlawfully and intentionally did not admit the invalidity of the summonses of the judgment No 4898/10 and rejected the Applicant's appeal against her conviction to 80 months imprisonment in absentia for breach of duty, due to her disagreements / Judicial-Political Opinions,( left wing political beliefs), on the pretrial detention of persons accused for drug related offences, with the Prosecutor. It is stressed,as per the Applicant's asylum claim, our previous submissions dated 16.6.2015 & 14.7.2015 & Mr Giatras second statement (ANNEX 28), that the English High Court did not allow extradition of the Applicant for the 80 months sentence for breach of duty, but based on the false statement of the Prosecutor I.Aggelis, dated 5.2.2014, they ordered her extradition only for serving 20 days imprisonment sentence for the offence of concealment due to exception, taking in consideration the aggregate periods of detention in the UK as well. {It is reminded for the purposes of these submissions,that the Prosecutor I.Aggelis,in order to ensure,unlawfully, the Applicant's extradition,status and imprisonment as "a convicted person",in her return, stated falsely ,to the High Court on 5.2.2014,that the 20 months sentence for the offence of concealment due to exception,included in the 80 months aggregate sentence for breach of duty,(conviction issue of 5th warrant),can be disaggregated from the 80 months sentence,by the Greek Court,in her return,which according to the article 94 of GREEK PENAL CODE,which is the only provision applicable in such case,(aggregate sentence), has not at all legal basis. }.However, according to the second

statement dated 20.2.2016 and related evidence of Mr Giatras, (ANNEX 28), there is a real risk that the Applicant if extradited to Greece will have to serve the total of 80 months in Korydallos prison, as the Greek authorities will most probably violate the conditions upon extradition was authorized; More specifically, according to the third statement of Mr Giatras, dated 22.3.2016, accompanied by undeniable evidence,(Assurances of the Prosecutor,I.Aggelis,Irrevocable Judgment of the Athens Appeal Court), submitted as Exhibits a-d (ANNEX 29), in the case of the defendant, Greek Citizen, Konstantina Bourboulia,extradited from France, the Prosecutor, I.Aggelis,( the Public Prosecutor handling also the case of the Applicant who provided false and/or misleading information to the High Court,in order to secure ,unlawfully,her extradition to Greece,as above), provided false assurances to the French Authorities ,following which, the defendant in her return to Greece was detained for offences ,for which she shouldn't be detained, according to his assurances to the French Authorities.

- b. A fourth statement of Mr Giatras, dated 14.9.2016,accompanied by undeniable evidence,(Texts of Greek Law,Greek Constitution,Irrevocable Judgment of the Appeal Court),submitted as Exhibits 2a-2j,(Annex 30), in which the lawyer of the Applicant testifies on points 3-54,as experienced Criminal Law Lawyer, in relation to the legality, the enforceability & the promulgation of the Judgment 545/3.2.2016 of the Appeal Court. More specifically,according to his statement,(ANNEX 30), the reasoning of this judgment is deceitful, misleading,false, unreasoned,contradictory and flagrantly violates the Greek Constitution,the provisions of Greek Law,(GREEK CODE OF CRIMINAL PROCCEDINGS) and article 6 of ECHR.Also,the reasoning of this judgment,as well as its dispositive ,are beyond the power of the Court,as they uphold,illegally,intentionally & contrary to the High Court Judgment and the Greek Law, the initial entire conviction of 80 months aggregate sentence,imposed to the Applicant with judgment 4898/10 of the Appeal Court for the offence of breach of duty. It is also stressed,on point 21 of this statement,that there is not at all a specific ruling in the dispositive of the judgment 545/3.2.2016,(in accordance

with the article 550par.1 of Greek Code of Criminal Proceedings), according to which the Applicant should serve only 20 days sentence for the offence of the concealment due to exception and not the entire 80 months aggregate sentence for breach of duty, which according the High Court Extradition Judgment dated 6.3.2015, is not enforceable. In addition, Mr Giatras emphasizes on his statement, that in any extradition case, which the Greek Court and the Prosecutor should know ex officio, (art.24par.2 of the Law 1756/88, art. 5101Hδ of Greek Code of Criminal Proceedings), do not have the power by law, (art. 5101Hδ in combination with article 438ε of Greek Code of Criminal Proceedings), to convict and/or to uphold any sentence for offences, for which the extradition has not been authorized; in the opposite, they act beyond the law, as it happened to the Applicant's case. Mr Giatras, also, testifies on points 34-44 of his fourth statement about the actions of the judicial authorities leading to the denial of the right of the Applicant to further appeal the decision 545 of the Appeal Court dated 3.2.2016. More specifically, Mr Giatras informed the applicant that the Judgment 545 of 3-2-2016 of the Appeal Court, rejecting the appeal of the Applicant, mentioned above, has been promulgated and registered on the Special Registration Book of the Judgments of the Appeal Court, on 16th May 2016 with registration number 1623. However, an official copy of the Judgment with the minutes of the hearing, was handed to him only on Friday 17 June 2016 and not earlier. It is stressed, that according to Mr Giatras, the clerk of the Court, Mr Anastasios Sioros despite the continuous requests from himself and his partners to be provided with a copy of the judgment, he kept telling them that the judgment had not been promulgated yet. Following a request for explanations, Mr Giatras informed the applicant that the Clerk said that this was the mistake of the person replacing him, Mr Dimitrios Aggelis, who was not aware of the proceedings at the Appeal Court, an explanation strongly rejected by Mr Giatras as this is really impossible to have happened, especially at the Appeal Court, where all the clerks are highly skilled and experienced. As a result, according to the Greek Law, it's no longer possible to lodge a second appeal, against the Judgment, to the Supreme Court, on behalf of the Applicant, even in the ideal scenario that Mr Giatras decided to represent the Applicant pro bono, as she has not funds to properly cover his fees for a further appeal. According to Greek Law (article 510 of Greek Code of Criminal Proceedings in combination with the article



473par.1,2,3 of the same Code ), such an appeal has to be lodged within 20 days from the date of the registration of the judgment to the Special Registration book of the Judgments of the Appeal Court, which in the Applicant's case is the 16th May 2016. In other words, a second appeal would have to be lodged before the 17th of June 2016, when a copy of the judgment was eventually given to the lawyer of the applicant. **Therefore, due to the manipulation of proceedings on behalf of the judicial authorities, she cannot file a further appeal against the decision of the Appeal Court as she lost such a right.** Any further appeal submitted would be rejected straightforward as inadmissible because **would be out of date.** This in itself, violates the right of the Applicant to a fair trial as she was denied access to justice and a further appeal she would normally entitled to under Greek law. The above development, according to Mr Giatras fourth statement dated 14.9.16,(ANNEX 30), also proves that **there is a real danger of violation of article 5 ECHR against the Applicant, as the Greek authorities will definitely violate the conditions upon extradition was authorized and the Applicant, in her return, will be forced, unlawfully, to serve the entire 80 months imprisonment sentence for breach of duty, for all the reasons explained above, (point 28 of Mr Giatras fourth statement & points a & b above).** Moreover, the Applicant's remedies, according to the Greek Law, in such worst scenario, are completely inefficient, depending entirely on the discretion of the Court, who are not bound in such case, by any provision of law to accept them, (art.560,561,565 of Greek Code of Criminal Proceedings, submitted as exhibits 2g & 20a to Mr Giatras fourth & second statement, dated 14.9.2016 & 20.2.2016, respectively, ANNEXES 30 & 28), a fortiori, when *"knowing the continuous expediency on behalf the Greek Authorities, in the Applicant's case"*, is almost sure, that will not be in her favour, as Mr Giatras stated on point 10, page 7 of his statement dated 20-2-16,(ANNEX 28). He also states on points 45-52 of this statement that such criminalization of her contrary to the conservative judiciary views constitutes not only a flagrant violation of her right to a fair trial, (article 6 of ECHR), but also political prosecution/persecution, due to her political beliefs and that for that reason, as her Greek Counsel, representing her to all the Greek legal issues related to her political asylum claim, he strongly recommends, for *"the interest of justice"*, to request the Home Office, to request from the Appeal Court of Athens, the final Appeal Court Judgments, which vindicated Miss A.Ilia's disagreements with the Prosecutor, in 9 drug cases, which were penalized with judgment 4898/10 of the Athens Appeal Court and uphold with judgment



545/3.2.2016 of the Athens Appeal Court. He also states on points 55-68 of this statement about the validity of charges of 5th warrant,(accusation issues),the false statements of the Greek Prosecutors and provides his comments on the Judge Underhill High Court Extradition Judgment. He,also,reconfirms on points 73-75 of this statement that the Applicant's political prosecution continues as a persecution due to her political beliefs and that there is a real and permanent danger,that she will be persecuted,if returns,that her right to a fair trial,(article 6 ECHR) has, already, been flagrantly violated and that it will also be flagrantly violated and that,if returns,may be in danger in the substandard and insecure Greek prisons, because she is being considered, as a threat to the judicial system ,as well as to big business and political circles due to her anti-corruption leftist stance and due to her continuous sensational revelations on corruption in the judiciary. Finally,on point 77 of this statement he requests that all his statements should be evaluated,according to their undeniable evidence,submitted as exhibits,( irrevocable judgments of the Appeal Court,public documents,texts of Greek Law & Greek Constitution), and no to be undermined,by the fact,that he is the Applicant's current Greek Counsel. The above mentioned statements of Mr Giatras, ,accompanied by reliable/undeniable evidence,(irrevocable judgments of the Appeal Court,public documents,texts of Greek Law & Greek Constitution), **(submitted as ANNEXES 28,29 & 30 with exhibits 1a-23a,a-d & 2a-2j )**,which constitute fresh/new evidence, undermining the High Court Judgment, as far as it concerns the fairness and the impartiality of the proceedings at the Appeal Court,(as stated above on point 2c), could not be considered by the High Court neither by the Home Office before the refusal letter, as **they refer to facts which took place on the occasion and following the Athens Appeal Court Judgment 545/3.2.2016 ,ie 3.2.2016 and afterwards.**

- c. The letter send to Mr Jeremy Corbyn, acting in his capacity as and MP in whose constituency the Applicant belongs, from the Home Office, (submitted also with her further submissions dated 7.1.2016), according to which the Greek authorities allegedly informed the Home Office that on 10 January 2014, the Applicant was sentenced to 8 years and four months imprisonment. It is stressed that this information is utterly misleading and totally inaccurate, as it's implied that the Applicant was convicted for additional offences in 2014, other than those for which her surrender was requested by the Greek authorities under the five European Arrest Warrants which have been the subject of judicial proceedings before the High Court. It is reminded that according to the Judgment of

the High Court dated 14 July 2014 for European Arrest Warrants 1-4 which related to a number of convictions for various offences/misdemeanors the Applicant was charged, illegally, in her absence, and the sentences were initially converted to fines, following successful applications, according to article 82 of Greek Penal Code and consequently all four warrants were formally withdrawn due to the fact that they were no longer custodial sentences, and the Applicant was discharged by the High Court. In addition, as per the Applicant's submissions dated 7.1.2016, the sentences related to EAW 1-4, apart from the fact, that have been converted to fines and consequently they have been withdrawn, they do not constitute criminal offences, according to the English law, as well. The Greek judicial authorities have accordingly formally withdrew all four warrants and it is common ground that, as regards them, the extradition order made by District Judge Purdy should be quashed, and the Appellant discharged, pursuant to section 42 (3) (b) of the Extradition Act 2003. Accordingly the only warrant remaining is EAW 5. Consequently, the decision referred to by the Greek authorities of 10 January 2014, relate to the initial application of merger made on the Applicant's behalf to the Greek Criminal Court to determine the overall sentence she should eventually serve for these offences / misdemeanors before her discharge for EAW 1-4, by the High Court. This was the overall sentence of eight years and four months related to the offences for which EAW 1-4 were initially issued and subsequently withdrawn as the individual sentences were eventually converted to fines and were no longer custodial sentences. In addition to all the above, the Greek Authorities seem to insist that the Applicant is to serve an 80 months imprisonment if extradited to Greece, a fact that on the basis of the information provided by lawyer Giatras in his second statement, dated 20.2.2016, (ANNEX 28), that Greek authorities tend to disregard the decisions of foreign courts authorizing extradition, strengthens the fear of the applicant that if extradited to Greece she will have to serve a sentence of at least 80 months in Korydallos prison, as a convicted detainee plus the 18 months period up to which she will be detained as a pretrial detainee awaiting for her trial for the accusation issues of the only remaining 5th warrant. It is reminded, as per our submissions of 14th July 2015, that the initial and continued prosecution of the Applicant from the Greek authorities and their denial to discontinue the only remaining 5th

warrant,even though her codefendants for the same alleged offences in all relevant cases have been irrevocably acquitted by the Greek Court,amounts to persecution on grounds of her political beliefs.

- d. **Finally,the change of the Greek Government,which is now a left wing & right wing coalition government,(SYRIZA - ANEL) does not alter the fact, that the Applicant is still persecuted,as the MP Mr Jeremy Corbyn,and the applicant's lawyer ,("Mischon de Reya")addressed,recently, on 2.6.2016, new letters,(submitted as ANNEXES 31), to the current MoJ,Nicos Paraskevopoulos,(through the MP Mr Jeremy Corbyn and the Greek Ambassador in London), the competent Judicial Authorities,(the President & Prosecutor of the Greek Supreme Court),the President of the Authority Inspection of Public Administration,and the Committee of Transparency and Institutions of the Greek Parliament, to investigate the misconduct of the Greek Public Prosecutors and to reexamine whether they insist on retaining the European Arrest Warrant against the applicant, but up to now they have never received any response,apart the one from the Committee of Transparency & Institutions of the Greek Parliament,dated 10.7.2016.It is stressed,that,according to the point 71 of Mr Giatras fourth statement dated 14.9.16, the response from the Greek Parliament written in English language ,requiring the Applicant's lawyer to resend all the correspondence translated in the Greek language, is false, because it is contrary to the article 2 par.1 of the Greek Law 3712/2008 , (submitted translated in English,as well as the reply from the Greek Parliament,as ANNEX 32), as the only official translation which can be used for the needs of the Greek Parliament, according to the above law,is only the one carried out,by the Translation Services of the Greek Ministry of Foreign Affairs of Athens where obviously the Applicant's English lawyer,as sender, cannot have access.However,the Applicant acting in good faith has already satisfied such unreasonable request, as and her English lawyer has already resent on 5.10.16,(submitted as ANNEX 32), all the relevant correspondence in Greek language to the Greek Parliament,awaiting for their further actions. It is,also,stressed,that,according to the point 72 of Mr Giatras fourth statement,dated 14.9.2016, the failure on behalf of the President of the Authority Inspection of Public Administration to reply to the Applicant's English Counsels, within 1 month since the receipt of their letter sent on 2.6.2016,amounts to a tacit rejection of their request,ie the investigation of**

the false statements of the Greek Prosecutors, A.Zairi & I.Aggelis & the consequent re-examination of the validity of the charges of the only remaining 5th warrant.

- e. It is, also, reminded, as per our previous submissions, dated 14.7.2016, that the previous and current Greek Ministers of Justice, Mr Charalabos Athanasiou, (right wing) and Mr Nicos Paraskevopoulos, (left wing), despite the continuous correspondence on behalf the applicant, her solicitors and the MP, Mr Jeremy Corbyn, denied suspiciously investigation of the accuracy and reliability of Greek Prosecutors, Mrs. Anna Zairi and Ioannis Aggelis, statements to the High Court of England regarding the applicant's conviction and accusation matter. The Applicant contends and Mr Giatras confirms on point 69 of his fourth statement dated 14.9.2016, that at least a preliminary investigation, in relation to her repeated denunciations in public of the false statements of the Greek Prosecutors, should already have been ordered, a long time ago, by the Prosecutor of the Supreme Court, as it has been always the rule, specially, in such highly published cases. A recent Publication of Zougla electronic paper, with titre, "*Preliminary examination about Pollakis statements. Inofficial judicial circles*", dated 17.06.2016, translated officially in English, is being submitted as ANNEX 33, confirming the above, ie that a preliminary investigation has been ordered by the Prosecutor of the Supreme Court, soon after a public denunciation of the Deputy Minister of Health, Pavlos Polakis related to the existence of parajudicial circles in the judiciary.
- f. Therefore, the repeated unsettling inertia of the Greek Authorities, (*MoJ & Leadership of the Judiciary*) to investigate the Applicant's official complaints and public denunciations in relation to the false statements of the Greek Prosecutors, A.Zairi and I.Aggelis, in conjunction with their proven disrespect to the High Court Extradition Judgment and their recent unlawful and deceitful action to mislead and convince the Home Office, for obvious reasons, that the Applicant was convicted for additional offences in 2014, other than those for which her surrender was requested by the Greek authorities under the five European Arrest Warrants, strengthen her fear, that nothing has actually changed as regards her persecution despite the new government. As it is blatantly obvious for all the reasons explained previously and above, that her extradition to Greece has become for the Greek Authorities an

**untenable obsession and an aim of life, the Applicant still remains vulnerable to unprecedented political persecution, if she returns.**

19. In view of all the above, the findings of the Home Office in relation to the current situation of the judiciary in Greece and the presumption that because of the change in Government and the election of a left wing Government, the systemic corruption of the judiciary in the country in the context of which the Applicant was and continues to be persecuted, is no longer an issue of concern, are misplaced and not justified. The Applicant submits that the Home Office did not rebut the burden of proving that, her undeniable past persecution is not likely to be repeated, in the circumstances of her case, in the event of her extradition in Greece.

### **B.3 Further evidence in relation to conditions of Detention in Korydallos Prison and violation of Article 3**

20. The Applicant hereby submits **further/fresh evidence**, in relation to detention conditions in Korydallos Prison as well as in particular, the Women's New Wing in Korydallos, where she will be detained in the event of her extradition to Greece, according to the Greek Government assurances. **The applicant submits an updated report on the Current Situation in the New A Wing (Block) of Korydallos Prison Branch for Women, from Mr Nikolaos Koulouris Assistant Professor in Social Policy and Offenders' Custodial and Non-Custodial Treatment, Department of Social Administration and Political Science, Democritus University of Thrace, dated 6.6.2016 (Annex 34)**

21. It is reminded that according to the assurances given by the Greek Government in the context of the extradition proceedings in front of the High Court, this unit of the Greek prison system, with a certified accommodation of sixty (60) inmates, would meet all the legal requirements of national and international detention standards. According to the Expert's report, these assurances were decisive in the judgment passed by the UK courts to extradite Mrs. Ilia to Greece. Arguments showing their problematic nature in legal terms were of secondary importance to the High Court, and it was accepted that there is no reason to doubt that such guarantees, given at the highest governmental level, would be adhered to. **According to the Experts report, previous & recent developments, following the High Court Judgment, show that not only in law but also in**



practice assurances should not be taken for granted and, actually, standards set there are not met. The report establishes beyond any reasonable doubt that assurances were not, and under any circumstances, cannot be met and had the applicant extradited to Greece, she would be subjected to inhuman and degrading treatment contrary to Article 3 of ECHR whereas she would be faced with a real risk of an Article 2 violation on account of her persecution and the lack of any security measures in the said prison. The assumption therefore of the High Court that the Greek Government would honour their assurances because those were given at the highest political level, is flawed as this is irrelevant when it comes to Greek law and practice.

22. The findings of the expert's report are corroborated by additional reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) report on its most recent ad hoc visit to Greece (14 to 23 April 2015) on 1 March 2016, of the Greek Ombudsperson Annual Report for the year 2015 in March 2016 according to which the combination of available space and inmates' numbers show that the situation amounts to inhuman and degrading treatment, as defined by the CPT and the ECtHR and the publication of official prison population data twice a month, including numbers for the inmates detained in Korydallos Prison Branch for Women (last available data at the time of drafting the present report: 1 June 2016), which are analysed and referred to in the Expert's report.

23. To highlight only some of the findings in the report:

*...."The unit is severely overcrowded. The occupancy rate has reached again 200% on 1.6.2016, as the number of women inmates were 117 - far more than the certified number of 60..... Overcrowding at Korydallos Prison "A" Wing for Women still persists and has deteriorated since the High Court Judgment dated on 6th March 2015... .. September 2014 assurances, given by the then Greek Minister of Justice, Transparency and Human Rights, which are not binding in legal terms, and custodial standards set there are not met... .. Especially as regards the prison population, inmates' numbers in the Women's Prison Branch of Korydallos are continuously higher than the certified accommodation, consisting permanent overcrowding which results in art. 3 ECHR violation when "net", free in-room space available for each inmate is less than 2.5 or, even, 2 sq.m... .. This is undoubtedly the case when the number of inmates approaches or surpasses 100, as it is the case of the current situation where the number of inmates is 117... .. The same can be said when the respective number is close to 90... .. Currently, on 1 June 2016, the actual number of inmates in Korydallos Prison Branch for Women (117) is not only much greater than 60 (almost double), despite the commitment of the Ministry of Justice, but is also a flagrant violation of Article 3 of the ECHR, taking into account the personal space available to inmates and living aside*

*other present aggravating factors such as those listed in the CPT standards... .. contrary to the September 2014 Assurances given by the then Minister of Justice, no indication exists that low staffing levels have been improved in Korydallos Prison Branch for Women. On the contrary, since the High Court Judgment dated on 6 March 2015, they are extremely low and within the economic crisis they have reached the lowest possible point.... ..The combination of severe overcrowding and continuous understaffing raises serious security related concerns and inmates' personal safety problems, due to the insufficient supervision of the detention areas. Such safety and security related issues should be taken in consideration, especially for Mrs Ilia, who as a former judge, may be unwelcome among other inmates. ....*

*..... In the detention unit (the "A" wing) supervision is minimal. Just one member of the custodial staff per shift is supervising all inmates in the wing and one more guard is observing the foreyard, when approximately one hundred and sometimes more inmates are allowed to use it... .. The negative consequences of extreme understaffing are obvious and influence prison discipline and security and inmates' safety. Detainees are left almost unattended, dynamic security is not implemented and prison staff members are not aware of what is happening in the prison wing... .. Overcrowding and understaffing, as Professor Nikolaos Paraskevopoulos, the new Minister of Justice, Transparency and Human Rights declared on 4 May 2015, invoking the observations made by the CPT in their April 2015 visit to Greece, is connected with prison tensions and violence, questioning inmates' safety and prison security. .... Inadequate staffing levels undermine control and jeopardize -especially inexperienced- inmates who are exposed to victimization risks. Mrs Ilia, as a former judge, may be unpopular among other inmates and this factor does not seem to attract the interest of the Greek authorities... .. severe understaffing and underfunding undermine the efforts and the initiatives of the Ministry of Justice, keeping detention conditions poor and inmates' security and safety at a minimum level. The much needed additional funding and staffing seems unlikely to be forthcoming given the current chronic economic problems Greece is facing..... Public funding is not sufficient, there is a shortage of amenities, food, temperature control equipment, ventilation, hot water, hygiene, privacy and other living conditions, related to inmates' human rights ... hygiene articles are provided in limited quantities, by the prison social service with the support of charities because the prison service is not able to cover fully daily inmates' needs..... During the economic crisis public spending cuts and austerity measures affected seriously the prison and the penal system... .. The daily cost of food per inmate has decreased by 28% between 2003 and 2013 (from 3.2 euros to 2.4 euros). Under the present circumstances it should not be expected that prison system structural problems will be solved in the near future... .. Actually, the ongoing economic crisis is an insurmountable obstacle, delaying or nullifying reform initiatives..",*

24. The serious shortcomings of the Greek penitentiary system which leads to serious human rights violations of the prisoner's has been officially acknowledged also by the Greek Government. In a press publication of 21.12.2015 (**Annex 35**)<sup>14</sup>, the Minister of Justice Mr Paraskevopoulos acknowledges the shortcomings and critical conditions of the prisons system and in particular the overcrowding and the lack of and/or limited access to health care. Even though he suggests that measures have been taken to address the problems, he does acknowledge that it will take a long time before problems are resolved, in particular because of the austerity measures imposed on Greece and the limited financial and other resources available in the country.

25. In two different press releases of the Ministry of Justice dated 8/12/2015 and 29/12/2015 (**Annex 36 and Annex 37 respectively**)<sup>15</sup>, it is admitted that neither the facilities nor the human resources in Greek prisons are satisfactory, particularly as regards living conditions and access to healthcare in Korydallos Prison, and that systematic interventions and changes are necessary to address the problems of "a long abandoned penitentiary system." However nothing seemed to have been changed in the new year, as promised by the Minister of Justice<sup>16</sup>, (**Publication in electronic paper zougla dated 27.1.16, ANNEX 38**).

26. The above mentioned conditions lead to many protests by the persons incarcerated in Korydallos Prison as the conditions of detention are inhuman and degrading and prisoners suffer systemic violations of their rights. The following facebook page, provides a picture of the protests of persons incarcerated in Greek prisons, because of overcrowding and lack of access to health care

<https://www.facebook.com/%CE%9A%CE%B9%CE%BD%CE%B7%CF%84%CE%BF%CF%80%CE%BF%CE%B9%CE%AE%CF%83%CE%B5%CE%B9%CF%82->

<sup>14</sup> <http://www.zougla.gr/politiki/article/paraskevopoulos-to-2016-i-katastasi-stis-filakes-8a-ine-kaliteri#.VnilXvf9zcU.gmail>

<sup>15</sup>

<http://www.ministryofjustice.gr/site/el/%CE%91%CE%A1%CE%A7%CE%99%CE%9A%CE%97/tabid/64/ctl/details/it/emid/2459/mid/797.aspx>

<http://www.ministryofjustice.gr/site/el/%CE%91%CE%A1%CE%A7%CE%99%CE%9A%CE%97/tabid/64/ctl/details/it/emid/2471/mid/797.aspx>

<sup>16</sup> <http://www.zougla.gr/greece/article/ametavliti-i-katastasi-sto-kolastirio-tou-koridalou#.VqINCLpyIWc.gmail>

[http://www.presspublica.gr/apergia-peinas-ton-asthenon-kratoumenon-ston-koridallo/?utm\\_campaign=shareaholic&utm\\_medium=email\\_this&utm\\_source=email](http://www.presspublica.gr/apergia-peinas-ton-asthenon-kratoumenon-ston-koridallo/?utm_campaign=shareaholic&utm_medium=email_this&utm_source=email)

27. As regards in particular access to health care, which is of particular importance for the Applicant, taking into account her health condition (see further submissions of 26.10.2015 and relevant doctor's certificates), Mr Koulouris states in his report that "healthcare provision in prisons remains one of the most problematic areas of inmate treatment, as the CPT reports and some decisions of the European Court of Human Rights show.<sup>17</sup> The European Court of Human Rights condemns Greece for violations of the inmates' right to proper medical care and the CPT decries the quality of prison health care services.<sup>18</sup> While there is a general rule that prisoners should enjoy health care services similar to those which exist for the general public, the ECtHR, the CPT, the Ombudsperson, prisoners and their supporters, recognize or claim that this is not the case in practice. Despite some improvements and unfinished initiatives to transfer health care services for inmates to the National Health System, prison medical services are still problematic and many medical staff positions are not covered at all" The above mentioned situation, leads once again in protests and hunger strikes of patients in Korydallos hospital as this is attested by press publications ([http://www.presspublica.gr/apergia-peinas-ton-asthenon-kratoumenon-ston-koridallo/?utm\\_campaign=shareaholic&utm\\_medium=email\\_this&utm\\_source=email](http://www.presspublica.gr/apergia-peinas-ton-asthenon-kratoumenon-ston-koridallo/?utm_campaign=shareaholic&utm_medium=email_this&utm_source=email))

28. In addition, the Expert in his report states that: *"The Prison Hospital cannot meet the special medical care needs of inmates, including women, and refers to other public hospitals in the greater Athens area (the choice of hospital depends on the health problem of each inmate and the available accidents and emergency units) .....-In general, health care provision for inmates is poor, medical doctors' availability is not always granted and women inmates find themselves in a relatively worse position than men, as Korydallos Prison Hospital does not accept women for inpatient treatment-..... On the issue of an emergency case, it cannot be assured that it is possible to deal with a serious and urgent health problem any time and without delays, stemming from -mainly- external factors, namely the national emergencies centre and the police; sometimes it is difficult to find immediately ambulances, especially equipped ones, and escort. For the last reason, some transfers are cancelled-..... In general, the prison service does not afford the necessary means to undertake all the steps of the complex procedure, involving prison medical doctors, prison administration, prison hospital medical doctors, prison hospital administration, the national emergencies centre and the police for escorts, followed in case of an inmate transfer*

<sup>17</sup> Xiros, 2010, Tsokas 2014, Martzaklis 2015, Lavrentiadis 2015.

<sup>18</sup> See CPT Reports, <http://www.cpt.coe.int/en/states/grc.htm>



to a public health care structure; they have no other choice but to rely on the cooperation of the police and the national emergencies centre.....This situation, in combination with the described in-prison system deficiencies, even in regular health care provision, shows that the danger of a failure in an inmate's treatment is high, especially when serious and complex health problems should be dealt with urgently..." This is evident also from the prisoners petition to the Government of 14.12.2015 demanding that Korydallos Hospital is immediately staffed with competent and efficient medical and nursing personnel, to immediately move the hospital to other premises in order to cover the needs of short term inpatients and to allow the treatment of long term patients in appropriate public hospitals the same way that any other long term patient is entitled to medical treatment in such hospitals. ([http://www.zougla.gr/greece/article/kravgi-agonias-apo-to-kolastirio-koridalou#.VqO2siAoX\\_8.gmail](http://www.zougla.gr/greece/article/kravgi-agonias-apo-to-kolastirio-koridalou#.VqO2siAoX_8.gmail))

29.- As evident from various press publications, the situation of the Greek Healthcare system in general, is very bad and is collapsing because of the austerity measures imposed on Greece and the limited financial and human resources available in public hospitals. There are often many strikes of the medical and nursing staff of hospitals (<http://www.zougla.gr/greece/article/pentaori-stasi-ergasias-sto-nosokomio-atikon#.VnNbinQr7vk.gmail>, <http://www.zougla.gr/greece/article/stasi-ergasias-sto-nosokomio-atikon#.VmodybBPC7q4.gmail>, <http://www.zougla.gr/greece/article/dimero-mplak-aout-sta-nosokomia-apo-tin-tetarti#.VI2in9y9jGQ.gmail>) and the understaffing is obvious and publicly acknowledged (<http://www.zougla.gr/greece/article/tzogos-i-proslipsi-sta-dimosia-nosokomia#.VmdxV16QCM0.gmail>, <http://www.zougla.gr/ygeia/article/anagi-gia-ameses-proslipsis-sta-nosokomia-1268391#.VmRo1U4YM6A.gmail>). The above mentioned conditions cannot secure appropriate and timely medical treatment to the Applicant in the event she is extradited to Greece and detained in Korydallos prison, even in regular health care issues, as per the findings in the expert's report: "....Health care provision for inmates in Korydallos Branch for Women is very poor and problematic.... In the women's branch medical office there is not ophthalmologist's service at all. No doctor of this specialization works or visits inmates there..... For this reason, in case a female inmate reports retinal detachment symptoms arising, the inmate is transferred to the outpatient medical office of Korydallos Prison Hospital..... In all cases, the prison service has to organize an urgent transfer to a public hospital of the greater Athens area, where an ophthalmological clinic operates..... In the case of Miss A. Iliia's health problem, namely her right eye previous retinal detachment history, as inmate healthcare problems still persist in Korydallos Prison Branch for Women .... Ms Iliia, as relevant medical reports and recommendations show, has a retinal detachment precedent on her right eye with high risk factors of recurrence, as they are mentioned in



Northern Medical Centre Medical Report, dated 30.9.2015.....Consequently, in case of in the case of an emergency, namely a possible recurrence of further retinal detachment symptoms, she will need to be transferred urgently to a public hospital..... Summing up, the inmate's medical treatment available only externally in public hospital ophthalmological units, can only be accessed in always longer than half an hour and in many cases much longer ..... To calculate the time one should take into account the transfer from the Women's Prison Branch initially to the Prison Hospital and then to the A&E Public Hospital Ophthalmological unit / clinic, the additional time necessary for the completion of the procedure and provision of appropriate medical care (medical examination from the scratch, due to lack of primary diagnosis in the prison hospital, and intervention, if necessary) and other unpredictable but crucial factors, which are outside the competence of the prison services, such as traffic, ambulances availability, proper staffing of hospitals...". In such a case, for all the above described reasons (lack of permanent ophthalmologist, lack of escort staff, difficulty in finding on time ambulance), it cannot be ensured that the urgent transfer needed will happen in time (in half an hour, according to the medical documents she presented). ..... The medical doctors on duty are not always qualified ophthalmologists ,a situation which affects undoubtedly the quality of the required appropriate medical treatment of the patient / inmate.....In addition, due to the deteriorating current situation in Greek Public Hospitals, there is still a serious risk for her, as a patient detained in Korydallos Prison Branch for Women, not to have access to the appropriate and timely required health treatment, as a result of which, an irreversible deterioration of her eye sight cannot be excluded. ...." .Moreover,it has to be emphasized,for the purposes of these submissions,that according to the medical report of the Northern Medical Center,dated 30.9.2015,submitted to the Home Office through further submissions dated 26.10.2015,if the Applicant,who suffers from panic attacks,is under any stressful situation,such as removal or temporary detention,she will be at a risk of a rise of her blood pressure which increases the orthostatic pressure in her right eye and can precipitate a retinal detachment,due to her high risk of recurrence.It's beyond any doubt,that taking in consideration this report, her removal to Greece,which undoubtedly is a very stressful situation, may precipitate further symptoms of a retinal detachment.In such case,the Applicant,as a patient detainee in Korydallos Women Prison,where ,according to Mr Koulouris, does not exist at all ophthalmologist services, will be at a real risk of not accessing the appropriate timely diagnosis and timely treatment ,which,according to the above medical report, may have irreversible consequences for her health and specifically for the sight of her right eye.

30. Additional press publications in relation to the conditions in Korydallos prison and the state of public hospitals translated in English are attached as **Annexes 39 & 40**.

Moreover, according to the findings in the expert's report, "..... *the operational conditions of the National Health System continue to deteriorate, as various sources reveal. It is reported that Public hospitals are sinking dramatically and that conditions for personnel and patients are tragic and marginal, as a result of continuous funding cuts, staff reductions and lack of supplies and consumables.....*". The deteriorating state of public hospitals, where the Applicant potentially may have to be treated in case she is extradited to Greece and detained in Korydallos prison, if health issues arise is documented in the documentary found to the following links [https://www.youtube.com/watch?v=\\_cCC4zgAHqY&list=PLCg0cLoEdHTzTKdbB\\_z3bAjewcUcO5JAn&index=1](https://www.youtube.com/watch?v=_cCC4zgAHqY&list=PLCg0cLoEdHTzTKdbB_z3bAjewcUcO5JAn&index=1) & <http://www.tovima.gr/society/article/?aid=805242>, (Extracts translated in English, submitted as ANNEX 40, from the recent publication in the newspaper "TO BHMA", (TO VIMA)", dated 5.6.2016, in relation to the dramatic state of public hospitals in the area of Athens, where the Applicant, according to the expert's report, is likely to go, as an inmate at Korydallos Women Prison). It's documented that currently public hospitals lack doctors, nurses, medication and medical equipment, up to the point that the Greek NHS is dying slowly and hospitals operate under precarious conditions.

31. In view of all the above, it is established that following the decision of the High Court, assurances of the Greek Government given to the High Court, are not, and in fact, cannot be met and that in the case of the extradition of the applicant in Greece, there is a real risk that she will be subjected to treatment contrary to Article 3 ECHR obligations, as an overall consideration of interacting crucial factors, such as severe overcrowding, poor material conditions, complex medical health issues, continuous understaffing and underfunding.

32. It is stated that on the basis of the new objective evidence submitted up to now, there is an arguable basis that feared persecution and mistreatment would arise on return to Greece therefore, a claim is not clearly unfounded.

33. It is finally stated again that in this case it is appropriate to conduct a fresh interview with the applicant so that she will be able to substantiate her claim with further explanation.

If you have any other queries then please do not hesitate to contact us

Yours sincerely,

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