

Assault on Ms. Constantina Kuneva

GRE 001 / 0109 / OBS 018

Assault / Fear for the physical integrity

Greece

January 29, 2009

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your intervention in the following situation in Greece.

Description of the situation:

The Observatory has been informed by the International Trade Union Confederation (ITUC) about the assault on Ms. **Constantina Kuneva**, a Bulgarian migrant worker and General Secretary of All Attica Union of Cleaners and Domestic Workers (PEKOP) based in Athens, which represents workers in the cleaning sector in the Attiki region, and the subsequent lack of adequate investigation by the Greek authorities into this assault.

According to the information received, on December 22, 2008, Ms. Constantina Kuneva was the victim of an attack using sulphuric acid as she was returning home from her workplace. She was seriously injured, losing the use of one eye and of her vocal chords and she is still in a hospital intensive care unit.

The Observatory is deeply concerned by this assault against Ms. Constantina Kuneva as it seems to sanction her activities as a trade union leader. Indeed, a few weeks before the attack, Ms. Kuneva had warned that she felt in grave danger as a result of her union activities, after having received death threats. Previously, in an interview for ITUC at the end of November 2008, she had denounced the poverty wages and harsh working conditions in the cleaning sector, where a vast majority of the employees are migrants and women.

Furthermore, the Observatory is concerned by the fact that, one month after the attack against Ms. Kuneva, the investigation procedure into the attack on Ms. Kuneva has been delayed and deficient. To date, no eye witness reports nor laboratory tests have indeed been used in this case, and the victim's statement has not yet been recorded, despite the fact that she can now communicate in writing. The Observatory therefore urges the Greek authorities to order a thorough and impartial investigation into the above-mentioned assault, in order to identify all those responsible, bring them before an ordinary competent and impartial tribunal and apply to them the penal sanctions provided by the law.

Action requested:

Please write to the authorities in Greece urging them to:

0. Guarantee in all circumstances the physical and psychological integrity of Ms. Constantina Kuneva;
0. Order a thorough and impartial investigation into the above-mentioned assault, in order to identify all those responsible, bring them before an ordinary competent and impartial tribunal and apply to them the penal sanctions provided by the law;
0. Ensure that adequate, effective and prompt reparation, including adequate compensation, proper medical care and rehabilitation, is granted to Ms. Constantina Kuneva;
0. Put an end to all acts of harassment against all trade union activists and, more generally, all human rights defenders in Greece;
0. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”, and Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
0. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and with international and regional human rights instruments ratified by Greece.

Addresses:

- Mr. Kostas Karamanlis, Prime Minister, Prime Minister's Office at the Hellenic Parliament, Greek Parliament Bldg, Constitution Square, Athens, Greece. Fax: +30 210 3238129, Email: pressoffice@primeminister.gr
- Ms. Fani Palli-Petralia, Minister for Employment and Social Protection of the Hellenic Republic, Stadiou str. 29, 10110 Athens, Greece. Fax: + 302 10 321 3688
- Ms. Dora Bakoyannis, Foreign Minister, Athens, Greece, Fax: + 30 210 36 81 433, Email: minister@mfa.gr
- Mr. Nikos Dendias, Minister of Justice of the Hellenic Republic, Ministry of Justice, Mesogeion 96 Av. , 11527 Athens, Greece, Fax +30 2107755835
- Mr. Giorgos Kaminis, Ombudsman for Human Rights, Fax 30 210 7289643
- H.E. Franciscos Verros, Ambassador, Permanent Mission of Greece to the United Nations in Geneva, Rue du Léman 4, 1201 Geneva, Switzerland, Email: missionofgreece@bluewin.ch , Fax:

+41 22 732.21.50

- Permanent Mission of Greece to the European Union, 25 rue Montoyer, 1000 Brussels, Belgium,
Fax: + 32 2 512 79 12 / + 32 2 551 56 51. Email: mea.bruxelles@rp-greece.be

Please also write to the diplomatic mission or embassy of Greece in your respective country.

Geneva - Paris, January 29, 2009

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need. The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

E-mail: Appeals@fidh-omct.org

Tel and fax FIDH + 33 (0) 1 43 55 20 11 / +33 1 43 55 18 80

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L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

Contact : omct@omct.org