



RACIST VIOLENCE RECORDING NETWORK

BRIEFING NOTE ON THE CASE OF WALID TALEB

Athens, 02.12.2016. On Monday, November 28th, the Piraeus five-member Court of Appeal delivered a judgment in the case of Walid Taleb. The Court endorsed in essence the penalties imposed by the Court of first instance and the accused expressed no repentance for their actions. The Racist Violence Recording Network (RVRN) congratulates Walid Taleb's lawyers as well as the solidarity network that supported him and wishes to point out that part of the defense costs were covered through the program "Support, accompanying and legal services to victims of hate crime" implemented by Network members.

The Prosecutor confirmed that the perpetrators had racist motives. She based her assessment on the facts of the case, namely the preparatory acts of the crimes and the particularly humiliating and degrading *modus operandi*. However, she argued that Article 81A CC, which provides for the crime with racist characteristics, is not applicable, as it was not in force at the critical time of the commission of the crimes. The RVRN will express its position on the issue of the applicable provision in more detail following the publication of the decision.

The RVRN maintained from the very beginning before the courts that the perpetrators had racist motivation. The vulnerability of the victim, taking into account his national origin and his legal status in Greece, constituted the decisive factor for the perpetrators to commit the crimes against him in the cruelest manner expressing the absolute contempt for the victim's dignity.

As far as racist attacks against refugees and immigrants emanating from employers are concerned, it is worth mentioning that national origin, in conjunction with labour dependency seems to trigger the decision of employers to pass to violence by taking the law into their own hands.

The RVRN points out that the examination of the potential racial motivation of a crime should always be examined by the courts, irrespective of the impact it may have on the punishment. In other words, the examination of the motive constitutes an absolutely essential element when investigating the circumstances, under which, a criminal offence was committed.