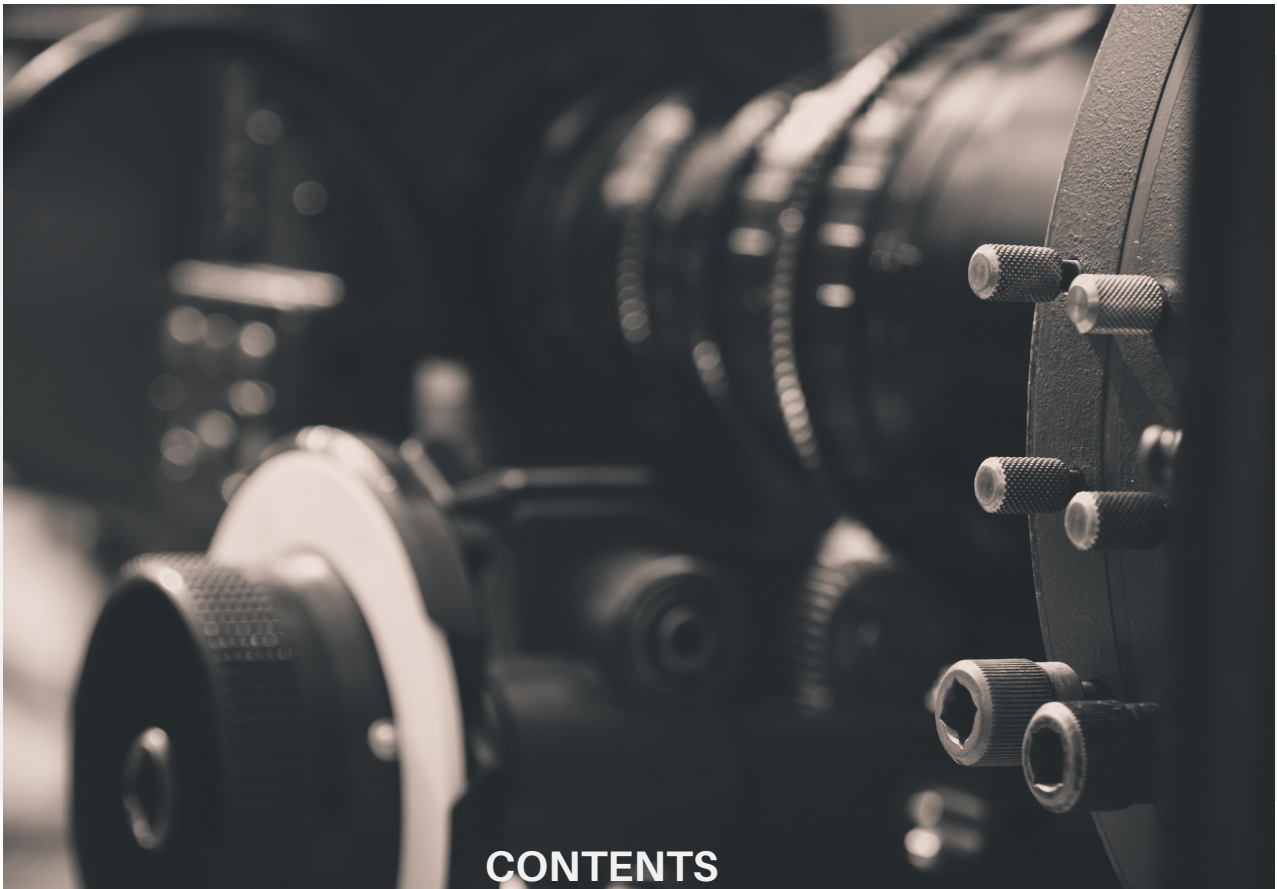


# THE MURDER OF MANOLIS KANTARIS AT ATHENS CITY CENTER

Greece



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# Key facts of the case

On May 10th 2011, at 5:30 in the morning, Manolis Kantaris (hereafter MK), a Greek citizen aged 44 went out of his house at the center of Athens (Ipirou str.) and walked a few meters to take his car from the parking in order to drive his wife who was about to deliver their second child and his mother in law to the maternity hospital. A bag was hanging on his shoulder with a video camera – to capture the precious moment of the birth of the child. At the street corner (Ipirou & 3rd Septembriou str.), three men attacked him to grab the camera and as he resisted he was stabbed in the back and the neck and fell down on the pavement in bloods. MK was lying dead and the three perpetrators run with the camera and sold it the same day for 120 euros. All three perpetrators were foreign nationals: two of them were from Afghanistan, aged 27 and 20 and one from Pakistan.

Following police investigations, the two suspects from Afghanistan were apprehended. They confessed they were at the crime scene. In their apologies, they claimed the third person from Pakistan had killed MK. They said when the third man left with the camera they chased him and took it with the aim to give it back to the victim. When they saw MK dead they left and sold the video camera. They also said they were under the influence of drugs and alcohol and the older one claimed he was a drug addict. Although they cooperated with the police for the arrest of the third perpetrator from Pakistan he was never apprehended.



## Sources:

Police press release following the arrest of the two suspects (as reproduced in the media, I Kathimerini, Giannis Souliotis and Kostas Onisenko, 20/5/2011, "The brutal murder was investigated").  
TA NEA Lia Nesfyge, 11/5/2011, "Here, people are consumable".  
TA NEA, 14/5/2011, "Deep sorrow in the funeral of Manolis Kantaris".  
TA NEA, Mina Moustaka, 25/5/2011, "After we took the camera we went home to sleep".  
TA NEA, Mina Moustaka 26/9/2012, "Unrepentant at the time of the verdict".

# Applicable law

Criminal proceedings were instituted by the public prosecutor against both defendants as accomplices for two felonies and three misdemeanours as follows:

For the felonies of

- a) Intentional homicide (art. 299 Penal Code) and
- b) Robbery (art. 380 Penal Code);

and for the misdemeanours of

- a) Possession, b) carrying and c) use of unlawful weapon (law on arms, Law no 2168/1993, Governmental Gazette A' 147).

The punishment for intentional homicide according to the penal code is life sentence (if no mitigating circumstances are recognised). Robbery is punishable with imprisonment of 5 to 20 years. Possession, carrying and use of unlawful weapons are 3 different offences each punishable with prison sentence from 6 months to 5 years and a monetary sentence of at least 586 euro.

Because of the gravity of the offences a full criminal procedure as provided in the Code of Criminal Procedure is followed. The first stage is the preliminary investigation conducted by the police and the collection of evidence for the case file. Subsequently, the suspects are brought in front of the public prosecutor who instigates the criminal prosecution pressing the charges for the crimes according to the case file. Then the case is forwarded to the investigating judge for an ordinary investigation which ends with the apology of the defendants. In order to uphold the rights of the defendants it is obligatory to be represented by a legal counsel when appearing in front of the investigation judge. The law also provides for the appointment of an interpreter in case the defendant is a foreign national.

The trial for such offences is held by 'mixed' courts consisting of three professional judges and four jurors.

As one of the defendants was 20 years old at the

time of the crime, the case could have been separated for him and forwarded for the procedure for juvenile offenders to be followed (special prosecutor, investigating judge and court as well as more lenient sentences). (art. 130 and 133 Penal Code).

## Criminal proceedings

The police started investigating the case, examining material from photos and 2 security cameras that were in the area. They identified one of the suspects and spotted his address. Fingerprints were also located on the victim's clothes (newsbeast, 18/5/2011 "These are the murderers of Manolis Kantaris"). An anonymous foreign national contacted the police on May 16th to give a mobile phone number which he assured them belonged to the murderer of MK. The authorities lifted the telephone privacy and collected further evidence. (TA NEA, Mina Moustaka 23/5/2011 "For half an hour Kantaris' murderers were waiting for a victim").

The suspects were arrested on May 19th during a police 'raid' operation in an abandoned building on Menandrou 77 str. which resulted in the abduction of 49 persons. (TA NEA, 19/5/2011 "Two Afghans confessed the murder of Manolis Kantaris"). The next day they were brought in front of the prosecutor who pressed charges for all offences referred to above (newsbeast, 20/5/2011 "In front of the prosecutor today the murderers of Manolis Kantaris. Two of the three confessed"). They presented before the prosecutor without a lawyer (TA NEA, Mina Moustaka, 23/5/2011).

Then the case was forwarded to the investigating judge for an ordinary investigation which ended with the apology of the defendants. During their appearance to the investigating judge they appointed legal counsel as it is obligatory by law during this stage of the procedure. The judge also appointed an interpreter so that the procedural

rights of the defendants were upheld (TA NEA, Mina Moustaka, 23/5/2011).

Following their apology statement to the 9th regular investigating judge, the prosecutor and investigating judge decided the imposition of pre-trial detention on 25/5/2011 (H Kathimerini, Eva Karamanoli, 26/5/2011 "Remanded in custody the two Afghans", TA NEA, 25/5/2011 "Remanded in custody the murderers of Kantaris"). Both defendants were remanded in custody by order of the prosecutor and the investigating judge until the trial hearing.

After a year (September 2012) the trial at first instance was held at the mixed court of Athens. This is a court of three professional judges and four jurors.

The first instance court issued its decision on 25/9/2012. Both defendants were found guilty on all charges (Newsroom Iefimerida.gr, 25/9/2012 "The murderers of Manolis Kanaris were attacked outside the court building", TA NEA, Mina Moustaka, 26.9.2012, "Unrepentant at the time of the verdict").

The sentence of the court was life sentence and 23 years imprisonment and 1.000 euro monetary sentence for each of the defendants. Life sentence for the homicide, 20 years for the robbery and 3 years and monetary sentence for the other charges. These were the maximum penalties provided without acknowledging any mitigating circumstances (AMPE, Athens News Agency - Macedonian Press Agency (ANA-MPA), 25/9/2012, "Life sentences and long-term imprisonment to the foreigners who murdered Manolis Kantaris", Newsroom Iefimerida.gr , 25/9/2012 "The murderers of Manolis Kanaris were attacked outside the court building", TA NEA, Mina Moustaka, 26/9/2012, "Unrepentant at the time of the verdict").

The appeal court was held on January 2016 and the decision was issued on 18/1/2016. The emotional testimony of the widow was reported in detail (newsbeast 11/1/2016 "The shocking testimony of Manolis Kantaris widow"). The defendants appeared to present themselves

innocent and that they came to Greece for a better life and not to kill. The prosecutor Panagiotis Mprakoumatsos proposed their guilt because of the contradictions in their testimonies and pointed out that they should not be punished because of their ethnicity or color (newsbeast, 11/1/2016 "The shocking testimony of Manolis Kantaris widow"). The prosecutor of the appeal court proposed the mitigating factor of post-adolescence age but was rejected by the court (newspost, 18/1/2016 "Life sentence to the murderers of Manolis Kantaris - The wife declares satisfied").

The appeal 'mixed' court confirmed the verdict and the sentences of the first instance court.

## Disclosure of information

Official information was issued by the police on the day of the suspects' arrest (19/5/2011), in the form of a press release by the security division of Athens, Hellenic Police. The press release was reproduced in the media, esp. I Kathimerini, 20/5/2011, Giannis Souliotis and Kostas Onisenko, "The brutal murder was investigated".

In the police press report, the main facts of the case and some information about evidence were officially publicised: The victim was attacked as he was going to take his car from the parking to drive his wife and mother-in-law to the maternity hospital. The time of the murder was recorded by two security cameras. The first video was blur but showed three men hitting the 44-year-old. The second video showed clearly the face of one of the three perpetrators.

### Sources:

TA NEA, 14/5/2011, "Deep sorrow in the funeral of Manolis Kantaris".  
Newsbeast, 18/5/2011 "These are the murderers of Manolis Kantaris"  
TA NEA, 19/5/2011 "Two Afghans confessed the murder of Manolis Kantaris"  
Newsbeast, 20/5/2011 "In front of the prosecutor today the murderers of Manolis Kantaris. Two of the three confessed".  
TA NEA, Mina Moustaka 23/5/2011 "For half an hour Kantaris' murderers were waiting for a victim".  
Newsroom Iefimerida.gr, 25/9/2012 "The murderers of Manolis Kanaris were attacked outside the court building".  
I Kathimerini, Eva Karamanolis, 26/5/2011, "Remanded in custody the two Afghans".  
TA NEA, 25/5/2011 "Remanded in custody the murderers of Kantaris"  
AMPE, Athens News Agency - Macedonian Press Agency (ANA-MPA), 25/9/2012, "Life sentences and long-term imprisonment to the foreigners who murdered Manolis Kantaris".  
TA NEA, Mina Moustaka, 26/9/2012, "Unrepentant at the time of the verdict".  
Newsbeast 11/1/2016 "The shocking testimony of Manolis Kantaris widow".  
Newspost, 18/1/2016 "Life sentence to the murderers of Manolis Kantaris - The wife declares satisfied".  
I Kathimerini, 20/5/2011, Giannis Souliotis and Kostas Onisenko, "The brutal murder was investigated").

## Media coverage

This case had very wide media coverage and the public interest continued years after the crime.

### General

It was a brutal crime, as the perpetrators killed a man for a very small gain (120 euro). As the victim's widow wonders "how little does human life cost?". It was a crime in the middle of the economic crisis Greece was undergoing at the time and in an area of Athens that had been inhabited in the last years predominantly by foreign nationals. It is an area that was perceived by Greeks as under-policed, unsafe and abandoned by the authorities. This incident presented the occasion for these strong emotions (like fear and anger) to surface and come to an expression (for the protests and the public response that followed the crime see next section). Moreover, this crime involved a peaceful family and an unborn baby, which made the emotional reactions stronger especially since family is an institution highly appreciated and protected in Greece. Finally, the circumstances of the crime – an unsuspecting man with a video camera to capture the event of his daughter's birth is stabbed to death on the way to take his car from the parking – brought the possibility of such an incidence close to every citizen.

### Information about the offence disclosed unofficially

Accordingly, there is a considerable volume of published material and high interest for the case. Considerable material from the case file was unofficially disclosed and published.

More specifically, a few days after the event,

pictures were published in the newspaper TO VIMA and were reproduced online presenting the three perpetrators at the crime scene (newsbeast, 26/5/2011, "*Documents from the murder of Manolis Kantaris*", TA NEA, 27/5/2011, Stelios Vradelis "*Frame-frame the murder of M. Kantari is reported*"). Video material from the time of the crime and the crime scene was also made public via the same newspaper (TO VIMA) from cameras installed in shops, banks, a security company and an apartment building in the area. This visual material from the cameras was part of the case file and main evidence (newspost 26/5/2011).

Part of the apology of one of the perpetrators was also revealed in a few publications (TA NEA, 27/5/2011, Stelios Vradelis, "*Frame-frame the murder of M. Kantari is reported*", I Kathimerini, 26/5/2011, Eva Karamanoli, "*Remanded in custody the murderers of Kantaris*", TA NEA, Mina Moustaka, 23/5/2011, "*For half an hour Kantaris' murderers were waiting for a victim*"). The defendant is appeared as claiming in front of the investigating judge that he did not kill Kantaris but the Pakistan third person did. That they run after him and hit him to take back the camera and give it to MK but when they saw the victim dead they sold the camera in the area of Sofokleous and Menandrou str. for 120 euro. He also appeared to have said that he gave his co-defendant 40 euros because he was present at the incident and didn't have to eat. He also claimed that he cooperated with the police for the apprehension of the third co-defendant who was never arrested. Another publication also referring to the case file and the visual material revealed that the perpetrators stole the victim's wallet following the attack. And that they were wondering around the spot for half an hour looking for a victim, until Kantaris came out of his apartment with the fatal camera in his hands (TA NEA, Mina Moustaka, 23/5/2011, "*For half an hour Kantaris' murderers were waiting for a victim*"). The third publication mentions that the 27-year-old in his apology said they had consumed drugs and alcohol and he claimed to be a drug addict (I Kathimerini, 26/5/2011, Eva Karamanoli, "*Remanded in custody the murderers of Kantaris*").

The testimony of neighbour eye witness Lefteris

Psilos to the police was also reported in the media. He said that he heard the cries and went out in the balcony. It was about 5:30 and the victim was already stabbed once. He said that the scenery was scary and that until they went downstairs the perpetrators were gone (TA NEA, 11/5/2011 Lia Nesfyge, "*Here, people are consumable*").

Finally, some publications refer to police sources and higher officials of the Hellenic Police. According to this angle, it was clear from the camera material that the basic perpetrator was the 27-year-old and that it was a very brutal incident. The two Afghans were brought to the police station along with many others during a police operation in a building on Menandrou 77 str. which was abandoned and where they went following their crime (I Kathimerini, 20/5/2011, Giannis Souliotis and Kostas Onisenko, "*The brutal murder was investigated*").

#### *Information about the offenders*

Little attention was paid to the offenders as persons and therefore the personal information published for them is scarce. They were "the Afghans", "the murderers", even years after the incidence. Two publications refer to their alleged nicknames ('Kan' and 'Kaka'); two more mention their full names along with the report on the outcome of the trial (Harodi Han Mamd and Shirzad Neinatullah, TA NEA, Mina Moustaka, 26/9/2012, "*Unrepentant at the time of the verdict*").

Other publications report that they had both entered illegally into the country 1,5 and 3 years ago and that one of them had recently been released from Kassaveteia prison. Police sources referred that the 27-year-old had been remanded in custody for dealing hashish on 3/12/2010 but was soon released under beneficiary legislation (I Kathimerini, 20/5/2011, Giannis Souliotis and Kostas Onisenko "*The brutal murder was investigated*"). They were staying in the country with temporary residence permits for humanitarian reasons because of the war in Afghanistan (TA NEA, Mina Moustaka, 23/5/2011 "*For half an hour Kantaris' murderers were waiting for a victim*"). A couple of posts also refer to the defendants drinking beers and using drugs on the night of the

crime.

#### *Additional information*

On the contrary, a lot of public interest was drawn to the victim and the victim's family. MK was father of 3 daughters and 1 son, the 1 daughter was delivered on the day of his murder; the 2 daughters (aged 17 and 19 at the time of the incident) were from a previous marriage.

Plenty of publications report on the grief and sorrow of the widow Simona Virgili (hereafter SV) and how her life changed following the crime. SV is a doctor, half Italian, and apart from the newborn is the mother of another young child. SV sent a letter to the media one year after the murder presenting her sorrow and the everyday struggle to raise her 2 children (TA NEA TEAM 26/9/2012).

Part of her testimony to the police was presented in press the next day of the crime (TA NEA, Mina Moustaka 25/5/2011, "*After we took the camera we went home to sleep*").

One year after the crime, SV is giving an interview in a wide circulation newspaper (TA NEA) which was reproduced in various media including the electronic press. She said that although her life was destroyed at the moment of the murder, she tried to be strong for her children. She also said that soon after the incidence she moved from the city center "where Greeks have come to feel like a minority" (iefimerida, 10/5/2012 "*Some people took advantage of the murder of my husband Manoli Kantari*").

Other individuals also attracted the interest of the media. First of all, the victim's best man, who gave

to the newspaper the day after the murder. He said had come to Athens from the island of Kythnos when he heard the news for the killing of Manolis. He gave details about the victim's job (in a pharmaceutical company), family (2 daughters 17 and 19 years old from previous marriage), sister, and parents, who are owners of renting apartments in Kythnos. He also said that the victim wanted to move from the area because there were fewer and fewer Greeks in the neighbourhood. He said that Manolis was indignant that he could not sell the house and that he wanted very much to move but didn't make it on time. (TA NEA, Lia Nesfyge, 11/5/2011).

A woman neighbour aged 39 Eleni Papadopoulou said that local residents plea for help. That people living in the area feel trapped and live with the gangs and the mafia. That they are locked in their homes and that this tragedy is everyday life. That the next victim could be anyone and called the state to take action. She also said that this tragedy is a sample of the nightmare they live and that the slaughter was for a video camera and this says everything (TA NEA, 11/5/2011, Lia Nesfyge "*Here, people are consumable*").

Neighbour eye witness Lefteris Psilos also reported that there is terror in the area. He said he was also attacked last summer as he returned from holidays. Four (4) Romanians hit him on the head while he was unloading the car. (TA NEA, 11/5/2011 Lia Nesfyge, "*Here, people are consumable*").

People gathered in the murder scene the next day were reported to have said "*In this part of Athens people are consumable*" (TA NEA, 11/5/2011 Lia Nesfyge, "*Here, people are consumable*"). More protests and unrest came soon after (see next section).

A few years later during the appeal trial the media interest on the case revived and SV appeared in newspapers and on one of the mainstream TV channels (Mega channel) (Newsroom iefimerida.gr, 7/5/2015, "*Three years after the murder. Manolis Kantaris widow breaks out: it is terrible how little human life costs*", Newsbeast, 18/1/2016, Kantaris' widow: *I saw my husband in a lake of blood. 'Fair and proper the sentence of the Appeal Court'*").



The latest report on the case was eight (8) years after the crime, when the victim's widow SV participated in a TV show (by Eleonora Meleti "Midnight") presenting what happened that night, the years that followed and how she balanced the happy news of her daughter's birth with the mourning for the murder of her husband (Newsroom iefimerida.gr, 24/10/2019, *Simona Virtzili, Kantaris widow, speaks for the wild murder of her husband for a video camera and her life today, 8 years after*", Newsbeast, 24/10/2019, "*Manolis Kantaris widow: in 14 seconds a life vanished. 'I didn't have the luxury to be sad, I had to look after my children'*" said Simona Virzili. See the interview").

#### *Information presentation/ interpretation*

This crime raised strong emotions to the public and the media took advantage from the first moment: Emotional headlines with strong words and phrases, close follow up of the case and reporting of every bit of information they could retrieve. Use of unofficially disclosed visual material (video and photographs), which was available from security cameras in the area.

On the other hand, the human aspect of the story was highly emphasised: the victim's widow with the newborn daughter was a story that moved every family.

Finally, the sole characterisation of the perpetrators as 'Afghans' reinforced stereotypes about crime and ethnicity as well as negative perceptions and emotions about foreign nationals coming to Greece and living in the centre of Athens. The 'Afghans' were also 'murderers' from the first moment: the media 'investigated' the crime before the police and left no doubt as to

who killed MK. Last but not least, all references on lifestyle (alcohol, use of drugs), previous time in prison and apprehension for dealing drugs are referred to the older perpetrator. On the contrary, nothing is said about the 20-year-old who was at the crime scene and was punished with the severe sentence of the actual perpetrator. The fact that they had no lawyer at the first stages of the procedure may have effected on their defence.

## Impact on the suspect or accused person and on the general public

The day following the murder of MK, local inhabitants organised a march in his memory. They closed a part of the road where the crime was committed and assembled on the street closing the traffic for a few hours. This quite emotional assembly aimed at protesting for the high crime incidents in their neighbourhood and for the insecurity and fear they feel. A prominent argument was that the raise of criminality was

#### *Sources:*

TA NEA, 11/5/2011 Lia Nesfyge, "Here, people are consumable".

Newsbeast, 19/5/2011 "These are the murderers of Manolis Kantaris. See: frame from the video".

I Kathimerini, 20/5/2011, Giannis Souliotis and Kostas Onisenko, "The brutal murder was investigated".

TA NEA, Mina Moustaka, 23/5/2011, "For half an hour Kantaris' murderers were waiting for a victim".

TA NEA, Mina Moustaka 25/5/2011, "After we took the camera we went home to sleep"

I Kathimerini, 26/5/2011, Eva Karamanoli, "Remanded in custody the murderers of Kantaris".

Newspost 26/5/2011

Newsbeast, 26/5/2011, "Documents from the murder of Manolis Kantaris. See: photographs of the perpetrators on 3rd September str".

TA NEA, 27/5/2011, Stelios Vradelis "Frame-frame the murder of M. Kantari is reported".

iefimerida, 10/5/2012 "Some people took advantage of the murder of my husband Manoli Kantari".

TA NEA, Mina Moustaka, 26/9/2012, "Unrepentant at the time of the verdict".

Newsroom iefimerida.gr, 7/5/2015, "Three years after the murder. Manolis Kantaris widow breaks out: it is terrible how little human life costs".

TA NEA TEAM 26/9/2012.

Newsbeast, 18/1/2016, Kantaris' widow: I saw my husband in a lake of blood. 'Fair and proper the sentence of the Appeal Court'".

Newsbeast, 24/10/2019, "Manolis Kantaris widow: in 14 seconds a life vanished. 'I didn't have the luxury to be sad, I had to look after my children' said Simona Virzili. See the interview".

Newsroom iefimerida.gr, 24/10/2019, Simona Virtzili, Kantaris widow, speaks for the wild murder of her husband for a videocamera and her life today, 8 years after".

due to the large number of foreign nationals living in the area. (Newsbeast, 12/5/2011, "*The residents closed 3rd Septembriou str.*")

Protest marches continued in the days after the crime (12th and 13th May) at the centre of Athens; it seemed as MK murder had provided an opportunity for rage and fear to surface and an unexpected outburst of racist violence was taking place on a everyday basis (iefimerida, 10/5/2012, "*Some people took advantage of the murder of my husband Manoli Kantari*").

Meanwhile, it was a period that extreme right organisations were appearing in the area of Athens city center. In particular, it was the time when the then political formation of Chrysi Avgi, a fascist and extreme right organisation that participated in municipal elections and had 1 representative at the municipal council, played a central role in organising these protests and in keeping the aggressive rhetoric against foreign national at the forefront. During these raids that followed, more than 100 people who were foreign nationals were wounded, 20 of whom were wounded heavily and one person from Bangladesh, named Alim Abdoul Manan, aged 21 was killed (TA NEA, 16/5/2011, "*Pogrom against immigrants*", TA NEA, 21/5/2011, Yiannis Charis, "*Is there a difference between murders?*").

The cabinet of ministers met the week following the murder to discuss measures for the citizens' safety and for upgrading the city center. Decisions were to be announced on the 26th of May. The Mayor of Athens also announced that he will deposit his proposals to the competent ministers (TA NEA, 14/5/2011, "*Deep sorrow in the funeral of Manolis Kantaris*").

Public interest for the case was still strong nearly one and a half years later during the trial at the first instance mixed court of Athens. Inhabitants from the area of 3rd September assembled outside the court building and attacked the offenders at the end of the trial (newsroom

iefimerida.gr, 25/9/2012, "*Attack to the murderers outside the courtroom*").

A few years later, lawyers members of the antifascist movement, filed a report to the prosecutor claiming that these attacks should be included in the case file against Chrysi Avgi as the marches were led by known leaders of the organisation (newsroom iefimerida.gr 12/5/2014, "*Indictment report in order to add new evidence to the case file on Chrysi Avgi from the attacks against immigrants following the Kantari murder*"). It was a time when Chrysi Avgi as a political party and its main representatives were prosecuted following another murder (the murder of antifascist hip-hop musician Pavlo Fyssa aged 34 on 17/9/2013), for a number of separate crimes but also for their operation as a criminal organisation.

*Sources:*

Newsbeast, 12/5/2011, "*The residents closed 3rd Septembriou str.*"

TA NEA, 14/5/2011, "*Deep sorrow in the funeral of Manolis Kantaris*".

TA NEA, 16/5/2011, "*Pogrom against immigrants*".

TA NEA, 21/5/2011, Yiannis Charis, "*Is there a difference between murders?*".

iefimerida, 10/5/2012, "*Some people took advantage of the murder of my husband Manoli Kantari*".

newsroom iefimerida.gr, 25/9/2012, "*Attack to the murderers of Manolis Kantaris outside the court room*".

newsroom iefimerida.gr 12/5/2014, "*Indictment report in order to add new evidence to the case file on Chrysi Avgi from the attacks against immigrants following the Kantari murder*".