

## **Greece: Kokkinakis case, the first religious freedom case in Strasbourg (1993)**



*Minos Kokkinakis (©Jehovah's Witnesses)*

**On 25 May 1993, the European Court of Human Rights (ECtHR) held, by six votes to three, that there had been a breach of Article 9 (freedom of religion or belief) of the European Convention on Human Rights (ECHR) in the case Kokkinakis v. Greece (*Application no. 14307/88*).**

**The Kokkinakis case is a landmark judgment and the first religious freedom case at the ECtHR. The court's decision endorsing the fundamental right to share one's beliefs with others impacted not only Greece, but all the 47 member states of the Council of Europe and their populations, around 820 million people in all. However, behind this case won at the ECtHR, there was an 'ordinary' man fighting to be able to exercise his right to freedom of religion or belief.**

**Minos Kokkinakis (1909-1999), a retired shopkeeper of Greek nationality, was born into an Orthodox family in Sitia (Crete) in 1909. After becoming a Jehovah's Witness in 1936, he was arrested more than 60 times for proselytism. He was interned and imprisoned on several occasions.**

**These periods of internment, which were ordered by administrative authorities on the grounds of Kokkinakis' religious activities, were spent on various islands in the Aegean Sea.**

**These convictions were mainly for trying to share his faith with others: he was sentenced to three separate imprisonments of two and a half months in 1939 (he was the first Jehovah's Witness to be convicted under the Laws of Metaxas fascist dictatorship), four and a half months in 1949 and two months in 1962.**

**During the German occupation in WWII, in 1941, Kokkinakis was arrested as a conscientious objector. He could have been executed for that, but he held a deeply rooted belief that God had prevented him from killing human beings. He was ready to die for his beliefs. Instead he served eighteen and a half months in prison.**

**Additionally, he was sentenced to six months of imprisonment in 1952 for holding a religious meeting in a private house.**

**Throughout his lifetime, Kokkinakis served a cumulative total of more than six years in prison.**

**On 2 March 1986, he and his wife visited the home of Mrs Kyriakaki in Sitia and engaged in a discussion with her. Mrs Kyriakaki's husband, who was the cantor at a local Orthodox church, informed the police, who arrested the couple. Kokkinakis and his wife spent the night of 2-3 March 1986 in a local police station.**

**Kokkinakis ultimately appealed his last conviction to the ECtHR. The court issued its decision on 25 May 1993 in his favour, ruling that the Greek government had breached Article 9 of the ECHR.**

**This legal precedent applies to all 47 member states of the Council of Europe.**

**More reading:**

**European Court judgment: <https://bit.ly/2IMbRgw>  
<https://hrwf.eu/wp-content/uploads/2018/08/Greece2018.pdf>**

Willy Fautré, director of HRWF, met Minos Kokkinakis in his apartment in Crete for an interview. HRWF publicised his case during the lengthy proceedings in Strasbourg, and organised conferences in Athens and at the European Parliament in Brussels. After the positive ruling in 1993, Willy Fautré held a press conference with Kokkinakis in Brussels. He was interviewed by the national Belgian television for the evening TV news and despite his age (he was 84 at the time), he captivated the interviewer with his energy and his passion for the defence of his rights. He was a charismatic fighter for justice.

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