

Unilateral Hybrid War Against Greece - Hostages

Συντάχθηκε απο τον/την Χρήστος Μπούμπουλης (Christos Boumpoulis)
Τετάρτη, 25 Μάρτιος 2020 21:46 -

The Untold History of Palestine & Israel
{youtube}CUZaR3op1qw{/youtube}
www.youtube.com/watch?v=CUZaR3op1qw

Kiro Gligorov - We are Slavs
{youtube}Yb9VhFsymb4{/youtube}
www.youtube.com/watch?v=Yb9VhFsymb4

20 години од атентатот врз претседателот Глигоров - Нарачателите и извршителите се уште непознати
{youtube}KH-BTBWX4c0{/youtube}
www.youtube.com/watch?v=KH-BTBWX4c0

Γ. Σεφέρης κατά της Χούντας – YouTube
{youtube}atzB_jKByI4{/youtube}
www.youtube.com/watch?v=atzB_jKByI4

Το τελευταίο αντίο στον Σεφέρη, διαδήλωση κατά της χούντας | EPT – YouTube
{youtube}O5blrVLG1sE{/youtube}
www.youtube.com/watch?v=O5blrVLG1sE

Νεοκλής Σαρρής «στην Ελλάδα διώκεται ο πατριωτισμός»
{youtube}bSQtGYqeWeY{/youtube}
www.youtube.com/watch?v=bSQtGYqeWeY

ΤΟ "ΤΕΛΕΥΤΑΙΟ ΑΝΤΙΟ" ΣΤΟ ΝΕΟΚΛΗ ΣΑΡΡΗ
{youtube}2rHr18qmMsE{/youtube}
www.youtube.com/watch?v=2rHr18qmMsE

«Επιζητείται ο τεμαχισμός της Ελλάδας» - Τα δάκρυα του ιστορικού Σ. Καργάκου και οι αποκαλύψεις του
{youtube}OaiWjIlo14{/youtube}
www.youtube.com/watch?v=OaiWjIlo14

Πέθανε νικημένος από τον καρκίνο ο ιστορικός Σαράντος Καργάκος
{youtube}ZJcBqvbdDgg{/youtube}
www.youtube.com/watch?v=ZJcBqvbdDgg

A Clockwork Orange (1975) Official Trailer - Stanley Kubrick Movie
{youtube}SPRzm8ibDQ8{/youtube}
www.youtube.com/watch?v=SPRzm8ibDQ8

Chapter 6 Soviet Psychiatry
{youtube}MLz_DqDyHxM{/youtube}
https://www.youtube.com/watch?v=MLz_DqDyHxM

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Putin's Spy Games, Suspicious "Suicides," and Creative Murders
{youtube}u3P21c4oTyA{/youtube}
www.youtube.com/watch?v=u3P21c4oTyA

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Not even the slightest doubt exists, for the objective, rational and honest observer of the current political circumstances within the international community, about the real and present, ongoing, unilateral, hybrid and illegal war against Greece, which is perpetrated by the, U.K., U.S.A., Russia, Israel and Turkey, and which aims in confiscating parts of Greece's National territory, namely, the Evros prefecture, the Macedonia, the Creta, a part of the Greek Aegean islands and probably Hephirus.

Among the instrumental means which they are being illegitimately used within this undeclared and illegal war are, the existing dictatorial political regime and a genocide of poisoning of the Greek Nation.

Simultaneously, the members of the Greek Nation they do not react, even for defending themselves and the most part of its natural leadership has been already assassinated (e.g. archib. Christodoulos, Tassos Papadopoulos, George Seferis, Neoklis Sarris, Sarantos Kargakos, Giannos Kranidiotis, singer Arleta, Malvina Karali, Miltiadis Evert, etc.).

However, within the eleven millions people's Greek Nation, it can't be otherwise, indigenous and patriotic Greek citizens which are able and willing to lead Greece to freedom, they do exist.

Where are now the survived members of the Greek natural leadership?

Are, the survived members of the Greek natural leadership kept hostages?

Who is responsible for liberating the survived members of the Greek natural leadership which they are being kept hostages, if such hostage-situation actually exists?

What is the reaction of the Greek citizens towards the survived members of the Greek natural leadership which they are being kept hostages, if such hostage-situation actually exists?

It seems to me that, the more, the international community manifests complete lacking of resistance towards the contemporary settler-colonialism's profound and extreme violations of the international law, the sooner, the international community shall become deprived from any chance not to join, the already annihilated, by the settler-colonialism, Nations, namely Tasmania, Kenya, Indians of the Americas, Palestinians, etc., at their very dark fate.

Christos Boumpoulis
economist

Appendix

Hostages

Hostages are persons who, irrespective of their status, have been detained under circumstances in which death or injury to themselves or those close to them, or continued unlawful detention is threatened, in order to compel a third party to do or to abstain from doing any act in exchange for the release or safety of the hostage or others threatened. Carrying out, or threatening to carry out, an act of hostage-taking is prohibited under international humanitarian law and constitutes a grave breach in international armed conflicts and a war

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crime in non-international armed conflicts.

<https://casebook.icrc.org/glossary/hostages>

International Convention Against the Taking of Hostages

New York, 17 December 1979

Historical Context

The impetus for the negotiation of the International Convention Against the Taking of Hostages (“Hostages Convention”) was the proliferation of hostage-taking in the 1970s. In September 1976, the Federal Republic of Germany (“Germany”) proposed that the drafting of a convention to address the problem should be included on the agenda of the thirty-first session of the United Nations General Assembly (A/31/242). Hostages had recently been taken at the German Embassy in Sweden in April 1975, resulting in the loss of two lives. Other prominent seizures of hostages around that time included an incident at the Vienna headquarters of the Organisation of Petroleum Exporting Countries (OPEC) in December 1975 and an aircraft hijacking at Entebbe airport in Uganda in June 1976 (Joseph Lambert, *Terrorism and Hostages in International Law: A Commentary on the Hostages Convention 1979*, pp. 2-3).

In explaining its proposal for a convention, Germany stated that hostage-taking for any purpose was “abhorrent and inhuman”, and “absolutely intolerable and incompatible with universally accepted standards of human conduct” (A/31/242, para. 5). It was said to infringe basic values upheld by the United Nations, namely the dignity and fundamental rights of every individual, including the rights to life, liberty and security of person in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) (*ibid.*, para. 5). Germany further warned that hostage-taking threatened international peace and transnational relations (*ibid.*, para. 1).

Summary of Key Provisions

The preamble to the Hostages Convention declares that “the taking of hostages is an offence of grave concern to the international community”. It also highlights the Convention’s role in furthering the purposes and principles of the Charter of the United Nations in maintaining international peace and security and promoting friendly relations and co-operation among States; and in securing the rights to life, liberty and security of person as recognised in the UDHR and ICCPR. While the preamble also describes “all acts of taking of hostages as manifestations of international terrorism”, it is clear from the definition of offences in article 1 that hostage-taking is an offence even if it involves compulsion for private rather than political purposes (see *United States v. Rodriguez* 587 F.3d 573 (2d Cir 2009)).

Article 1 of the Hostages Convention defines the offences of hostage-taking, attempted hostage-taking, and complicity in hostage-taking. There is, however, no offence of threatening to commit hostage-taking (Lambert, *op. cit.*, p. 83). According to article 1, paragraph 1, the offence of hostage-taking is committed by:

Any person who seizes or detains and threatens to kill, to injure or to continue to detain another person (hereinafter referred to as the “hostage”) in order to compel a third party, namely, a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage ...

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There is no requirement that force be used to take hostages as long as force is threatened. Article 2 requires States parties to make the above offences “punishable [in domestic criminal law] by appropriate penalties which take into account the grave nature of those offences”. There are two important limitations on the scope of application of the offences. First, the Convention only applies to hostage-taking which has a transnational element and does not apply to purely domestic acts. Thus article 13 provides that the Convention “shall not apply where the offence is committed within a single State, the hostage and the alleged offender are nationals of that State and the alleged offender is found in the territory of that State”.

Secondly, pursuant to article 12, the Convention does not apply to hostage-taking committed in armed conflicts governed by the Geneva Conventions of 1949 and its Additional Protocols of 1977, where such laws already require States “to prosecute or hand over the hostage-taker”.

The Hostages Convention could still apply to hostage-taking by liberation movements committed in armed conflicts involving a State not party to Additional Protocol I, since then only common article 3 of the four Geneva Conventions would apply and it does not impose a prosecute or extradite obligation.

States must establish prescriptive jurisdiction over the offences in accordance with article 5, which invokes the territoriality, nationality, passive personality, and (treaty-based) universality principles. Specifically, mandatory jurisdiction must be established by a State in relation to offences committed (i) in its territory or on board a ship or aircraft registered in that State; (ii) by its nationals; (iii) to compel the State to do or abstain from doing any act; or (iv) where the offender is present in the State’s territory and the State declines to extradite. In addition, a State may optionally establish jurisdiction over stateless persons who are habitually resident in its territory, or where a hostage is a national of the State. The Convention does not, however, prioritize or otherwise resolve valid competing jurisdictional claims by different States.

The Convention is built around the “extradite or prosecute” (*aut dedere aut judicare*) principle that is common to many of the sectoral anti-terrorism conventions. As a first step, under article 6 a State has a duty to apprehend an alleged offender in its territory, to facilitate prosecution or extradition, and the State must conduct a preliminary inquiry into the facts. States parties must also afford one another “the greatest measure of assistance” in connection with criminal proceedings, including by supplying all necessary evidence (article 11, paragraph 1).

Under article 8, paragraph 1, if the State of custody does not extradite the alleged offender, “without exception whatsoever” it must submit the case to its competent authorities for prosecution. It is not, therefore, a duty to prosecute, but a duty to consider prosecution “in the same manner as in the case of any ordinary offence of a grave nature under the law of that State”. The Convention does not establish any priority between local prosecution or extradition. In either case article 8, paragraph 2, recognises a suspect’s right to be “guaranteed fair treatment at all stages of the proceedings”, including “all the rights” under local law. Persons taken into custody also enjoy a right to communicate with the nearest representative of their State of nationality or habitual residence (article 6, paragraph 3). A State claiming jurisdiction is also entitled to invite the International Committee of the Red Cross to communicate with and visit the alleged offender (article 6, paragraph 5).

The Convention facilitates extradition by deeming the Convention’s offences as extraditable offences in any existing extradition treaty between States parties (article 10, paragraph 1). States parties also undertake to include such offences in every extradition treaty concluded between them. Where no extradition treaty exists between relevant States, the requested State may elect to treat the Hostages Convention as the legal basis for extradition (article 10,

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paragraph 2). The Convention may also serve as the basis for extradition where national law does not require an extradition treaty (article 10, paragraph 3). Article 10, paragraph 4, provides that the Convention's offences shall be treated as if they had been committed not only in the place they occurred but also in the territories of States required to establish their jurisdiction by the Convention.

National law continues to govern the preconditions of extradition to the extent not modified by the Convention. Thus, for instance, States which refuse to extradite their nationals may continue not to do so; or States could still insist on satisfaction of the "specialty" rule (namely, that an extradited person can only be extradited to face the charge for which extradition was requested). The State must then submit the case for prosecution.

The Convention contains important safeguards in respect of extradition. An extradition request must be refused if it was made for the purpose of prosecuting or punishing a person on account of his race, religion, nationality, ethnic origin or political opinion, or if the person's position would be prejudiced for such reasons; or if a person cannot communicate with the State entitled to diplomatically protect him or her (article 9, paragraph 1).

Unlike a few later sectoral anti-terrorism treaties, the Hostages Convention does not "depoliticise" its offences by requiring States not to treat it as a non-extraditable "political offence" under national law (see also Lambert, *op. cit.*, p. 233). Article 15 expressly preserves the right of asylum under the "Treaties on Asylum", as between States parties to those treaties. The asylum treaties are not specified and it is unclear whether it also includes the Refugee Convention of 1951 (Article 1F(b) of the Refugee Convention excludes from refugee status a person in relation to whom there are serious reasons for considering he or she has committed a serious non-political crime. Some acts of hostage-taking may thus be regarded as non-political under both international refugee law and certain national extradition laws. Criminal law defences must still be considered, such as pleas of duress or necessity which mitigate responsibility for an offence).

It is therefore conceivable that the extradition of an alleged offender may be refused on the basis that the conduct constitutes a "political offence" under national extradition and/or asylum law. The case must still then be submitted to the competent local authorities for prosecution. National legal systems may then take the political nature of the offence into account in various ways, such as in exercising the discretion whether to prosecute or in mitigation in sentencing. The Convention contains various procedural obligations in relation to the criminal process. A State must notify affected States, through the United Nations Secretary-General, where an alleged offender is taken into custody (article 6, paragraph 2) and of the results of an investigation (article 6, paragraph 6). The final outcome of a prosecution must also be communicated to the Secretary-General for transmission to concerned States and international organisations (article 7).

Certain humanitarian considerations are addressed by the Convention. The State in which the hostage is held "shall take all measures it considers appropriate to ease the situation of the hostage, in particular, to secure his release and, after his release, to facilitate, when relevant, his departure" (article 3, paragraph 1). The property of hostages must also be returned as soon as possible (article 3, paragraph 2).

The Convention thus accords a discretion to States in choosing how to respond to hostage-taking, conceivably extending from negotiation at one end of the spectrum to forcible measures of rescue at the other. While some States refuse to negotiate with terrorists or to pay ransoms as a matter of policy, the Convention neither requires nor prohibits either step (the

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European Court of Human Rights has also recognised the discretion of States in their choice of response: see *Finogenov and others v. Russia* [2011], para. 223). Even granting immunity from prosecution may not be ruled out, as in the case of the Achille Lauro hijacking in 1986 (Lambert, *op. cit.*, pp. 113-116). Any response must, however, comply with other relevant international laws, including human rights law and United Nations counter-terrorism financing obligations (see, e.g., Security Council resolutions 1267 (1999) and 1373 (2001); and International Convention for the Suppression of the Financing of Terrorism 1999).

Other States are prohibited, however, from taking forcible action to rescue hostages in the territory of another State without that State's consent. Article 14 thus provides that "[n]othing in this Convention shall be construed as justifying the violation of the territorial integrity or political independence of a State in contravention of the Charter of the United Nations". That provision does not affect, however, the application of any relevant international law of self-defence under Article 51 of the Charter of the United Nations and customary international law.

All State parties bear an obligation to cooperate to prevent hostage-taking under article 4. In particular, States must take all practicable measures to prevent preparations in their territories for its commission (within or outside their territories), including by prohibiting illegal activities by persons or groups that encourage, instigate, organize or engage in it. The rule is a specific reiteration of the general obligation on States not to permit their territories to be used for activities harmful to other States, including by terrorist acts (see, e.g., Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations). Prevention must also be pursued through the exchange of information (such as, for example, intelligence) and administrative coordination. Where inter-State disputes arise concerning the Convention, article 16 provides that they should be settled by negotiation, or failing that, arbitration or a subsequent reference to the International Court of Justice, unless a State reserves otherwise upon expressing its consent to the Convention.

<https://legal.un.org/avl/ha/icath/icath.html>