

# AMALIA KAZABAKA

RACISM AND THE  
PROSECUTION OF THE  
MORIA 6



**OPEN ASSEMBLY AGAINST  
BORDER VIOLENCE LESVOS**

<https://borderviolencelesvos.noblogs.org>

open assembly against /  
**Lesvos**  
border violence

The text “Amalia Kazabaka: Racism and the Prosecution of the Moria 6” was published in Mytilene in April 2024. Its use is free for non-commercial purposes.

The meetings of the Open Assembly Against Border Violence Lesvos take place on Wednesdays at 17:00 at Binio squat.

Contact: [borderviolencelesvos@espiv.net](mailto:borderviolencelesvos@espiv.net)

# AMALIA KAZABAKA: RACISM AND THE PROSECUTION OF THE MORIA 6

On 8 March 2024 a young man from Afghanistan, one of the Moria 6, was sentenced on appeal to 8 years in prison after being convicted of burning down Moria camp in 2020. Members of the Open Assembly Against Border Violence Lesvos were present in the courtroom of Mytilene for four days.

Amalia Kazabaka, the public prosecutor, spent these days engaged in the shameless racist persecution of the defendant. She did not limit her investigation to the legal evidence in front of her or, to be more accurate, the lack of it; instead, she felt entitled to take revenge for all the years of the so-called refugee crisis, to get reparations for the burden caused to the Greek state, its citizens, and the villagers of Moria in particular. Amalia Kazabaka put this man on trial for what she saw as the suffering of her people. It was not a trial but an inquisition, making one man pay for the inherent guilt of all those from the East who had the nerve to manipulate their way into Europe.



**Let's take at her word.**

***Who does Amalia Kazabaka think were the camp's real victims?***

*"We keep hearing here about the immigrants. But we were told that these people, these migrants, were a real disaster for the village of Moria over there."*

It's true that the villagers of Moria had to endure more than their fair share, but since she brings them up let's remember the reputation that some of them built for themselves. For months before the camp burned down, they laid siege to it. They went door to door in their village looking for migrant sympathisers. They set up patrols and checkpoints at village entry and exit points. They dragged a 70-year-old man and two migrant boys out of a car and beat the shit out of them. They shot a migrant in the back while he crossed a field to reach the city. On the night the camp burned down, they lived their Spartan wet dreams by blocking the exit of 13,000 people through the village and sending them back towards the flames. This wasn't a small movement, it was popular, organised, and tolerated by the authorities. Are these the people that Kazabaka thinks deserve our sympathies?

***What does Amalia Kazabaka think about the state of Moria camp?***

*“To me this place did not seem like hell at all, it was an organised place, with clinics ... Could the Greek state build them houses? It doesn't do that for the Greek homeless.”*

Not hell, this place where children attempted suicide, from which death was live-streamed to our cellphones. How many died for lack of treatment in those clinics? And when the time came to build a new one, specifically to treat Covid-19, the villagers of Moria threw rocks at peoples' heads to prevent it opening.

***What does Amalia Kazabaka think about people on the move?***

*“They are not guests; they are illegals.”* Yet at the same time, *“Why did these foreign immigrants want to burn and destroy this space offered by the country that hosted them?”*

They were not guests, but they were “hosted” nevertheless. They repaid our hospitality by pissing on the toilet seat. This “country that hosted them” had for six months used Covid-19 as an excuse for a segregated lockdown, but Kazabaka can only see her country as a

spurned host. Therefore she finds a motive for burning down the camp in the intrinsic ingratitude of the guests, which must be a product of their heritage, the customs and habits of a lawless mob. Why did it burn? Because *“they didn’t like the Covid measures”*, because *“they couldn’t move around uncontrollably”* – note the language, moving uncontrollably, like the virus itself – and, *“wanting to impose the laws of their own country here, they engaged in destruction”*.

In reality, they had been treated by their “hosts” as an extra-judicial population: deal with them however we will, and if the laws don’t allow it, break them, if the police won’t do it, the mob will. For the last few months Moria camp’s inhabitants had been beaten up at checkpoints without consequence. Over the camp’s lifespan, 247 fires had broken out as a result of its poor infrastructure, killing two people in only the last year. The fact that nothing had been done to prevent this led to just one conclusion: that this infrastructure was designed to be inhospitable to human life. The camp had become a deathtrap and since March 2020, under the guise of public health, its inhabitants had been locked up to die there. Was burning down this prison the imposition of the “laws of their own country” or did it follow the example of the Greek (non-)application of law? Wasn’t it an act of integration?



***What is the substance of Amalia Kazabaka's character?***

Kazabaka saw ulterior motives wherever she looked. Ironically, for a person who believes that the Middle East is a lawless place, she behaved like a tinpot Khomeini, trying to extract confessions and rid the court of subversives. She tried to have a journalist arrested. Meanwhile she implied that the defendant's only character witness was a member of some crooked network or, if not being paid to do the job, then some sort of misfit:

KAZABAKA: Is the witness herself a member of any organization, NGO?

WITNESS: No.

KAZABAKA: I didn't understand how she suddenly found herself with the accused.

WITNESS: I have been here on the island several times, and I talk to many people. And when there was a fire, it had huge coverage internationally [...] I had already come to Mytilene many times to help the people living in these miserable conditions.

KAZABAKA: Aaah, so you were a member of an NGO and you were going to Moria?

DEFENCE: Mrs Prosecutor, she told you no, of her own accord...

KAZABAKA: Doesn't she have a job in Germany? Family and work?

DEFENCE: She works and has a family.

KAZABAKA: So she came to Greece and came to Moria camp and dealt with immigrants?

WITNESS: Yes.

KAZABAKA: So she didn't come on summer holiday?

WITNESS: No!



Something didn't add up, first because Kazabaka cannot conceive of a selfless act, and second because, in her mind, a woman who leaves her family duties is morally compromised. Clearly Kazabaka's interrogation reveals more about the limits of her empathy than it does about the motivations of this witness. Finally, she smelled the opportunity to secure more work for herself: *"The court should also search for this witness, who pays her expenses. I don't think she's coming here alone."*

### **What is Amalia Kazabaka's set of skills?**

#### **1. Asylum expert.**

*"He's an immigrant. He came to Greece because everyone he knew came. The explanation is simple, if he got a passport and went to a country legally no one would give him free food and shelter."*

*"His homeland Afghanistan doesn't just border Iran; it borders China, Tajikistan, a whole bunch of countries. There were countries around there that he could go to with a passport or as a refugee in a coordinated way, as the whole world saw with Ukrainians with their families. Is he a refugee? He is not."*

## **2. Anthropologist.**

*“If we open a map we will see that in this country, Afghanistan, there are four ethnicities, Pashtun, Hazara, Tajik ... and another one that escapes me.”*

## **3. Clinical psychologist.**

*“When does the accused tell the truth? When was he born? To which ethnicity does he belong? Does he know himself or is he trying to fool the court unconvincingly and expects us to believe him? The illiterate who knows little Greek knows English? That’s what he’s learned to do; he likes to lie, there’s no other explanation.”*

## **4. Defender of national interests.**

*“I believe that this man came to Greece as an immigrant, yet the Greek state provided him with a place to live [...] And if there was a war here and we went as refugees to Afghanistan, what would they do there, would they build us high quality housing? Well, I don’t think so!”*



The result of this trial was a loss, not only for the defendant himself who, although he will soon be released, will be branded forever as the man who burned down Moria. It was a loss on a local level: the fact that such uninhibited racism was aired in public, unchallenged by officials and swallowed whole, raises the question of how many lives it will take before our institutions feel the debt has been repaid for the Moria years. To be clear: we have no faith in these institutions, nor in the State's "justice". Still, we were surprised by just how shameless the procedure was.

Amalia Kazabaka is not alone. Greece's criminal justice system is riddled with prosecutors who extend their role to the defence of political interests, which are defined by national racism. They are supported in this task by an entire personnel devoted to carrying out the prosecutor's goals.

For maximum effect, the procedure must be carried out in secret, meaning a combination of police and private security screens access to the building, turning away international observers, journalists, supporters and family members based on arbitrary criteria plucked from the sky to suit the circumstances on any given day.

Then there is court's Server of Process, known ironically in Mytilene as the Maître. Like a headmaster during detention, he patrols the court, treating the defendant's supporters as spoiled fruit, plucking them out to scold them in the corridors, and eavesdropping on their conversations to report back to the rest of the court administration.

Finally is the composition of the court itself. Three judges, already politically in-step with the state prosecutor's agenda, that supposedly make up a veneer of impartiality while at the same time they privately confer with the prosecutor. That relationship is barely disguised: Prosecutor and Judges sit on high so that they literally look down on defendants and their lawyers. Meanwhile, they are flanked by four jury members, a "cross-section" of society.

These three judges and four jury members voted 5-2 to convict and supported the Prosecutor's proposed sentence of eight years (those two dissenting voices were members of the jury). In the final moments of the trial the following became obvious:

## ***1. The lack of independence of the courts***

During the trial, the lead judge refused to screen to the jury a 25-minute video, a crucial piece of evidence for the defence. This video was based on expert re-enactment of all available footage of the fire. It demonstrated that the testimony of the prosecution's only eye witness was wrong, because the section of the camp he claimed the defendant had burned did not in fact burn down until hours later. The lead judge promised the defence that this video would be screened for the jury during the recess. However, the guilty verdict came in after a process of deliberation that was too short to have delivered on this promise.

After another recess to decide the sentence, we watched through the courtroom's glass-panelled doors as Prosecutor Kazabaka left her chamber and entered that of the judges and jury. This room is immediately adjacent to the courtroom. For at least five minutes we heard her screaming at the others, though the sound was too muffled for us to know exactly what was said. Her recommended sentence was unanimously passed.

They did not make a secret of their intimacy: an hour after the trial ended, Prosecutor Kazabaka was spotted eating lunch with the Maître and the Lead Judge in a kafeneio in one of Mytilene's busiest areas, no doubt celebrating another victory. That boldness is a sign of their impunity.

## ***2. The need for secrecy***

As the sentence passed, the defendant, who had been dismissed, ignored and silenced throughout the trial, could no longer hold his voice. He broke down crying, shouting at the departing jury "Three and a half years in prison, why? Why? Just tell me the reason". At this, the Maître and the police began clearing the room of his friends and supporters. Why? To protect his dignity? No, the Maître's instinct was to keep his voice trapped unheard in the courtroom walls.


## ***3. The social fault-lines***

Standing outside the courthouse, one of the defence lawyers told us that we should take courage from the fact that two of the jurors rejected the guilty verdict. Still, two of them followed the Prosecutor, despite the fact that she had no case: Kazabaka had failed to

specify facts, and instead invoked racist reflexes, manufactured doubts that verged on conspiracy, and refused even the smallest mitigation about the defendant's character.

The court was packed with reporters, supporters, lawyers, and international observers. The fact that this time we have a comprehensive record of what was said means that we are getting our act together. Still, they felt able to rig the trial. Our next step is to break the climate of impunity, to at least make them feel shame instead of pride. People like Kazabaka should know that they will end up on history's shit-heap, where they belong.



A photograph taken from a dark, irregularly shaped opening, possibly a hole in a wall or a window. The scene is backlit, creating a strong silhouette effect. A person stands in the center, facing away from the viewer, holding a large white banner. The banner has the text "THE CRIME WAS NOT THE FIRE, THE CRIME WAS MORIA!" written in bold, black, hand-painted capital letters. The person is positioned behind a multi-layered wire fence that fills the background. The lighting is warm and golden, suggesting late afternoon or early morning. The overall mood is somber and protest-oriented.

THE CRIME WAS  
NOT THE FIRE,  
THE CRIME WAS  
MORIA!