

HELLENIC REPUBLIC
MINISTRY OF PUBLIC ORDER
HELLENIC POLICE HEADQUARTERS
SECURITY & ORDER BRANCH
PUBLIC SECURITY DIVISION
2ND DEPARTMENT OF ECONOMIC CRIMES
RESPONSIBLE: TSANTRIZOS Chrysanthos
Phone: 6977236

Athens, April 24, 2001

TO: 1) GPD OF ATTICA-THES/NIKI
2) D.A.A/YDOEEAH/1st DPT
3) D.A.TH/YDOEEAH/1st DPT
4) PD OF THE STATE

NOTIFICATION: 1) MPO/Minister's Office
2) MPO/Secretary Gen. Office
3) HPH/Chief's Office
4) HPH/Deputy Chief's Office
5) HPH/Gen. Inspector's Office
6) HPH/Head Of Staff's Office
7) REGIONAL GPD
8) MINISTRY OF ECONOMICS
a) 33rd Admin/tion Customs Control
Kar. Servias 10
PO 101 84 Athens
b) S.D.O.E
L. Kifisias \$ Iatridou 2
PO 115 26 Athens

SUBJECT: *"Application of the L. 2121/93 ABOUT the copyright, related rights and cultural matters – illegal copying and release of infringing copy products (piracy)"*

RELATIVE DOCUMENTS: a) Law 2121/93
b) 1017/44/56γ* Order of 10-7-98
c) 1017/44/56/ρλε*, similarly
d) 1017/44/56-ρνγ*, similarly

1. As it was highlighted and analysed at our previous orders, the Law 2121/93 "regarding the protection of copyright", aims at the protection of the Author, but mainly of their rights, acknowledged to them by the legal order over the original intellectual creation, regardless the form of its expression.

* Greek original text

2. In article 1 of this Law, is expressly stated that the intellectual property consists of two member rights, the moral and the property right. The moral right is related to the protection of the personal bond between the creator and its work and the property right has economic value and is subjected to exploitation.
3. In recent years in particular, organized criminal networks and individuals as well, having at their disposal the achievements of modern technology exploit the authors rights and reproduce infringing copy works of cinema, theatre, literature, computer software, but mainly music, which they sell at low prices, having as a result detrimental consequences on the smooth operation of the market, on the healthy competition, but mainly on the respect of the author's personality and work.
4. The blatant and unscrupulous attitude of copying original works, not only corrodes the moral personality of the human being, starting from an early age, resulting in its generalization in its social and professional behaviour in general, but it affects the lawful authors-producers as well as the State, due to the enormous tax evasion that is resulting from the selling of such products. The copyright theft crime has nowadays evolved into a symptom of social disarray, mainly as a result of the behaviour of the very society itself. Therefore, its encounter is not only an issue of the State defence mechanisms, the Collecting societies and the rest of the lawful representatives of the authors, but of all active and responsible citizens.
5. The analysis of the data gathered by the Public Safety Directorate indicates that the activity of our Services may be considered remarkable. Still, "Piracy" continues to exist; in extreme situations, the paradox phenomenon that the lawful and infringing copy musical CDs circulates simultaneously, is observed. We ought to face it decisively and systematically this provoking way of production and disposal of the infringing copy products – mainly from foreigner street vendors, at places like public markets, fairs, squares, precincts, beaches, etc, having in mind the ex proprio motu nature of the specific indictment and the police court procedure to be followed regarding the specific crime. Having in mind the aforementioned, and for the maximization of the performance of our Services regarding the dealing with the specific crime, we request the following:
 - a. The Directorates of the Services, among other issues, will explain the content of the herein to their personnel during their regular meetings.
 - b. They should guide their personnel regarding its duties and obligations about the indictment of the specific crime (ex proprio motu nature – police court procedure).
 - c. They should collaborate closely with the representatives of the Collective management societies and the lawful representatives of the authors for the immediate capture of the perpetrators, the confiscation of the crime products and their indictment to justice.

- d) To systematize and organize frequent controls on a weekly base, in areas determined in accordance to the violations frequency indicated at the specific area.
- e) Dig it in the sector of the reliable information gathering, especially regarding the operation of production workshops so as to when the perpetrators are located and captured there should be radical encounter of the "piracy phenomenon. In that direction, the Security Directorates and Sub directorates must put special effort
- f) The activation of the Police personnel should be performed on a homogenous way that guarantees that the essential and efficient encountering of the specific kind of crime in order not to have the phenomenon of the shifting from region to region.
- 7. The Administrators of the Directorates and the General Police Directorates must monitor and coordinate the efforts of the Services supervised by them, intervening whenever necessary, so that the piracy phenomenon is encountered efficiently which among others things one exposing internationally our country.
- 8. All relevant data regarding the results of your actions will be reported to Headquarters in according the provisions of our Order, No. 3002/1/71/8-1-99, which is on a monthly base, with the clarification that a distinction between the violations of the Law and the crime products confiscated must be performed.

For the copy
At the same day

THE DEPARTMENT-HEAD

THE BRANCH SUPERVISOR

CHRYSANTHOS TSANTZIROIS

FOTIOS NASIAKOS