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Greece: Unprecedented prison term for conscientious objector

A Greek conscientious objector sentenced to an unprecedented prison term is a prisoner of conscience and should be immediately released, Amnesty International said.

The organization has written to the Greek authorities stating that the right to conscientious objection is a legitimate exercise of the fundamental rights to freedom of thought, conscience and religion, enshrined in international human rights treaties to which Greece is a party.

Earlier this week, a military court in Xanti sentenced Boris Sotiriadis to three and a half years' imprisonment without suspension even pending appeal, after he refused to serve in the army on the grounds that it conflicted with his religious belief.

Boris Sotiriadis is a Georgian national of Greek origin who became naturalized upon returning to Greece. He had served his military service in the former Soviet Union and later became a Jehovah's Witness. When the Greek army summoned him to report for military service, he refused to serve citing religious conscientious objection and asked to serve alternative civilian service instead. However, Greek law does not permit this for those who have already served in the armed forces.

"Greece continues to treat conscientious objectors as criminals, imprisoning them for exercising their human right to conscientious objection," Olga Demetriou, Amnesty International's researcher on Greece, said.

"Not only was Boris Sotiriadis convicted, but he was also given an extremely heavy sentence. His sentence is especially harsh as Greece is now at peace and disobedience is considered a misdemeanour instead of a criminal offence."

The military court rejected the defence's argument that Boris Sotiriadis had a "conflict of legal duties" between the army and his religion. However, the Military Court of Athens has accepted similar arguments to those made by Boris Sotiriadis and acquitted cases of conscientious objectors such as Sergey Gutarov in 2005, Alexandros Evtousenko and Guram Almanidis in 2004.

"Such discrepancies in the application of the law highlight the inadequacy of provisions for alternative civilian service in Greece, both in law and in practice. Existing law and practice needs to be reviewed and brought into accordance with international standards," Olga Demetriou said.

Every person has the right to refuse to perform military service on the grounds of conscience or

profound personal conviction, without suffering any legal or physical penalty. Amnesty International calls on the Greek government to end the persecution of conscientious objectors, and for all conscientious objectors, including Boris Sotiriadis, to be treated in the same way, without discrimination.

The organization reminds the Greek authorities that as recently as March 2005, the UN Human Rights Committee called on Greece to improve the situation of conscientious objectors. The Committee expressed concern that the length of alternative service for conscientious objectors is much longer than military service, and that the assessment of applications for such service is solely under the control of the Ministry of Defence.

Amnesty International urges the Greek authorities to stop immediately the prosecutions of all conscientious objectors and to bring the provisions for conscientious objection in line with European and international standards and recommendations as well as in line with the recommendations of the Greek Ombudsman and the Greek National Commission for Human Rights.

See also:

Greece has broken European consensus, <http://web.amnesty.org/library/index/engneur250092005>
Greece: Punished for their beliefs: how conscientious objectors continue to be deprived of their rights<http://web.amnesty.org/library/index/engneur250072005>

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