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Cyprus: Conscientious objector status must be amended

Following rising concern that Cypriot conscientious objectors are receiving repeated prison sentences because they refuse to serve in military reservist exercises, Amnesty International has written to President Clerides urging him to amend the legislation on the issue, and to bring it in line with international standards.

The right to conscientious objection is not recognised in Cyprus for reservists. Men who refuse to perform military service on religious grounds are often charged with insubordination.

In its letter, Amnesty International highlighted some current cases where reservists will be tried in Nicosia Military Court on charges of insubordination for exercising their right to conscientious objection. Five of these trials will take place on 12 November 2002.

Christoforos A. Christoforou, a 41-year-old father of two children, and Michalis A. Georgiadis, a 47-year-old father of two, both face their third trial for the same offence. Mr Christoforou cannot work regularly because of his poor health, yet he has again been called for reservist military exercises. Mamas I. Skoufaris, a 37-year-old father of four, will be tried for the second time for a similar offence. They have all been previously sentenced on these charges.

Savvas M. Savva and Panayiotis A. Zacharia, both fathers of three and two children respectively, will be tried for the first time on 12 November 2002. If sentenced they could face up to two years in prison.

Furthermore on 20 December 2002, Kyriacos Paraskeva Zingis, a 39-year-old father of two young children, and Panayoti Panayi, aged 36, will also be tried on charges of insubordination.

"Should any of these men be sentenced, we would adopt them as prisoners of conscience and call for their immediate and unconditional release," Amnesty International stated.

They are all Jehovah's Witnesses whose faith does not allow them to perform military service or reservist exercises. They have all applied to the Ministry of Defence for conscientious objector status, which accords with current legislation, but the right was denied to them because conscientious objector status is not provided for in the legislation for reservists.

"These men face the possibility of having their lives disrupted repeatedly by periods of imprisonment, unless remedial steps are taken," Amnesty International said.

Background

Amnesty International has been campaigning for years for the recognition of conscientious objection in Cyprus. While Amnesty International welcomed the 1992 National Guard Law amendments which introduced legal provisions for the right to alternative civilian service, the organization remains concerned that Section 5A of the National Guard Law 2/92 falls short of relevant resolutions and recommendations of the United Nations and the Council of Europe.

Amnesty International is also concerned about other aspects of Section 5A of the National Guard Law, where paragraph 10 states that in periods of emergency or general mobilization the provisions established for alternative service can be suspended upon a decision by the Ministry of Defence. Conscientious objectors performing alternative civilian service would then be incorporated into the compulsory unarmed military service.

The Government of Cyprus should make provision for an alternative civilian service for conscientious objectors which would not be punitive in length. Amnesty International recommends that reservists be allowed to apply and obtain conscience objector status, and that the right to conscientious objection be available to all conscripts and reservists at all times and without restriction.

Public Document

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