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Public Statement

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Greece: Conscientious objectors living under Damocles' sword

Amnesty International strongly condemns the decision of the Military Court of Appeal in Athens which sentenced conscientious objector Lazaros Petromelidis to 20 months of imprisonment, suspended for three years on 12 June 2003. Lazaros Petromelidis had been charged with insubordination in peace time.

Lazaros Petromelidis is one among 26 conscientious objectors who are faced with proceedings and imprisonment as a result of having lost their right to conscientious objection because of the flawed legislation on conscription (Law 2510/97). Their cases are described in detail in a new report entitled "*Greece: To be in the army or choosing not to be: the continuous harassment of conscientious objectors*" (AI Index EUR 25/003/2003) which Amnesty International published last week

In this report, Amnesty International once again expresses in detail its serious concerns with regard to the punitive and discriminatory alternative civilian service in Greece. The organization is urging the Greek authorities not to imprison any of the above-mentioned conscientious objectors and to ensure that amendments to Law 2510/97 are urgently introduced to bring alternative civilian service into line with international standards and recommendations. Amnesty International welcomes recent reports that the length of alternative civilian service might be reduced in future (following a parallel reduction in the length of military service from 14 to 12 months which was implemented on 1 January 2003). The organization is concerned, however, that although these provisions may be amended, this form of service may remain punitive in length, lasting twice as long as military service, as is currently the case.

Although Amnesty International does not question the right of governments to conscript individuals into the armed forces, the organization campaigns for the right of those liable to conscription to be given the opportunity to perform an alternative to armed service in conditions which are in line with international standards and recommendations.

Amnesty International considers that the present provisions for alternative civilian service do not conform to these standards and recommendations. The organization accordingly urges that the current review of provisions relating to conscription should result in amendments to Law 2510/1997 which would ensure that alternative civilian service is not of discriminatory and punitive length, that it falls under entirely civilian authority (including in the examinations of applications for conscientious objectors), that conscientious objectors have the right to claim conscientious objector status at any time, both up to and after entering the armed forces, and that the right to perform alternative civilian service can never be derogated from, including in time of war. Moreover, Amnesty International also urges an amendment to current provisions which stipulate that conscientious objectors who carry out trade unionist activities or participate in a strike during their alternative service would have their right to alternative civilian service or unarmed military service revoked. The organization also calls on the Greek authorities to ensure that conscientious objectors who have legal proceeding pending against them will have their full civil and

personal rights recovered, including that of travel outside the country, the right to a passport and identity card, and the right to vote.

Similar concerns have also been raised by the Greek Ombudsman and the Greek National Commission for Human Rights.

Background information

Lazaros Petromelidis was called up for enrolment in the army in March 1992. He wrote to the Piraeus enrolment military office declaring his conscientious objection to military service and refused to report for military duties. On 20 July 1992 he was charged with insubordination and was banned from leaving the country. He was recognized as a conscientious objector in November 1998 and was summoned to do 30 months' civilian service at a Health Centre in Kilkis, some 550 kilometres from his home. Under the provisions of that time, military service for a man of his age and family circumstances (married and father of a child) would in effect last four months (given the right to buy exemption from eight months of a 12-month service) and be carried out close to home. He refused to do this service on the grounds that it was of punitive duration and lost his right to conscientious objection on 10 February 1999.

On 15 April 1999 the Naval Court of Piraeus convicted him on charges of insubordination in time of general mobilization for the insubordination of 1992, and sentenced him to four years' imprisonment. On 17 September 2002, while his appeal hearing on the charge of the insubordination of 1992 was being postponed, he was arrested on charges of insubordination because he had failed to report for alternative service in Kilkis. Lazaros Petromelidis immediately appealed against his second charge. The prosecutor of the Piraeus Naval Court ordered Lazaros Petromelidis to pre-trial detention in Korydallos pending the appeal hearing on the second charge. He was released three days later on bail and with restrictive measures imposed on him (he was obliged to appear before the local police station twice a month, otherwise he would be imprisoned), after the case was referred to the Salonika Naval Court.

Lazaros Petromelidis has been repeatedly called up since March 1992 to report for military service - most recently on 8 October 2002. If called up again and upon refusal to perform military service Lazaros Petromelidis will be sent to prison to serve his sentence. He has also lost all other civil rights as listed above. Amnesty International urges that legal proceedings against Lazaros Petromelidis be suspended pending the review of the provisions relating to alternative civilian service, which the organization hopes will take place within the framework of the proposed amendments to Law 2510/1997.

For the full text of the report "Greece: To be in the army or choosing not to be: the continuous harassment of conscientious objectors", please see: <http://web.amnesty.org/library/index/engneur250032003>

Public Document

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