

**EXTERNAL**

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**Prisoner of conscience**

**24 November 1995**

**GREECENikos KARANIKAS, conscientious objector**

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On 19 December 1995, the appeal against the prison sentence of conscientious objector Nikos Karanikas will be heard at Thessaloniki Appeal Court. Amnesty International considers Nikos Karanikas - the first person in Greece since January 1993 to be imprisoned for refusing compulsory military service on non-religious grounds - to be a prisoner of conscience who should be immediately released.

Nikos Karanikas was arrested from his home in Alexandria village near Thessaloniki on 25 August 1995. He was sentenced to four years' imprisonment on 5 October, despite the Prosecutor's recommendations for a three-year sentence, for "insubordination in a period of general mobilization" (Greece has been in such a situation since the invasion of Northern Cyprus by Turkish troops in 1974) under Article 70 of the Military Penal Code. He is currently serving his sentence in Pavlos Melas military prison, Thessaloniki.

Nikos Karanikas refused to serve compulsory military service on political and philosophical grounds. There are some 60 other conscientious objectors who have declared their opposition to military service on such grounds, and who may face arrest and imprisonment at any time. Since October 1994, three attempts to arrest one of them, Dimitris Sotiropoulos, a member of the Greek Association of Conscientious Objectors in Athens, from his home or work place have failed.

Amnesty International does not take a position on conscription as such and does not oppose the right of a state to request a citizen to undertake alternative civilian service. However, in the absence of any provision for such an alternative service (of non-punitive length), the organization considers all imprisoned conscientious objectors to be prisoners of conscience.

#### **BACKGROUND INFORMATION**

There are some 350 conscientious objectors imprisoned in Greece, most of them Jehovah's Witnesses. There is no provision for alternative civilian service in Greece although the United Nations Commission on Human Rights, the European Parliament and the Council of Europe have all appealed to member states to recognize the right to have conscientious objections to military service and introduce alternative civilian service.

i) The United Nations Commission on Human Rights: Resolution 1989/59, which was reaffirmed in 1991 (1991/65), recognizes "the right of everyone to have conscientious objections to military service as a legitimate exercise of the right to freedom of thought, conscience and religion as laid down in article 18 of the Universal Declaration of Human Rights as well as article 18 of the International Covenant on Civil and Political Rights" and recommends that Member States provide alternative service "in principle of a non-combatant or civilian character, in the public interest and not of a punitive nature".

ii) Council of Europe: Recommendation No. R (87) 8 of the Committee of Ministers to Member States Regarding Conscientious Objection to Compulsory Military Service, recommends that governments of member states make provision in their legislation for conscientious objectors to have the right to perform alternative service which is not of a punitive nature. However, the Greek

Government has reserved the right not to comply with the recommendation in paragraph 9 which states that alternative service "shall be in principle civilian and in the public interest".

iii) The European Parliament's Resolution on conscientious objection and alternative civilian service adopted 13 October 1989, "Calls for the right to be granted to all conscripts at any time to refuse military service, whether armed or unarmed, on grounds of conscience, with full respect for the principles of freedom and equal treatment for all members of society" (§1). The same resolution also calls on the Commission and the Member States to press for the right to alternative civilian service to be incorporated in the European Convention for the Protection of Human Rights and Fundamental Freedoms, as a human right (§11). On 11 March 1993, the European Parliament adopted a resolution on respect for human rights in the European Community. In the section on conscientious objection it "Considers that the right of conscientious objection, as recognized by Resolution 89/59 of the UN Commission on Human Rights on conscientious objection to military service, should be incorporated in the legal systems of the Member States" (§46). It is also: "Condemns the trials and imprisonment of conscientious objectors in the Member States, many of whom have been regarded as prisoners of conscience by Amnesty International" (§50) and "**Condemns, in particular the practice in Greece which treats conscientious objectors as criminals and condemns them to long periods of imprisonment in military prisons**" (§53).

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English, French, Greek or your own language:**

- calling for the immediate release of Nikos Karanikas, a prisoner of conscience;
- urging that there be no further arrests of conscientious objectors and calling on the Greek Government to comply with international recommendations and introduce civilian alternative service of non-punitive length;
- calling for the release of the other 350 conscientious objectors imprisoned in Greece.

**APPEALS TO:**

1) Mr Gerasimos Arsenis  
Minister of Defence  
Ministry of Defence  
Holargos (Pentagonos)  
Athens, Greece

**Faxes: +30 1 323 1636 or +30 1 644 3832**

**Telegrams: Defence Minister Arsenis, Athens, Greece**

**Salutation: Dear Minister**

2) Mr Karolos Papoulias  
Minister of Foreign Affairs  
Ministry for Foreign Affairs  
1 Akadimias  
106 71 Athens, Greece

**Faxes: +30 1 361 1180**

**Telegrams: Foreign Minister Papoulias, Athens, Greece**

**Salutation: Dear Minister**

**COPIES TO:** Diplomatic representatives of GREECE accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 19 December 1995.