

EXTERNAL

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ADOPTION OF PRISONER OF CONSCIENCE - FRANCE

@The case of Christophe ("Kittu") LASCARAY

Christophe, familiarly known by his Basque name "Kittu", Lascaray, a 21-year-old rock band musician resident in Itsasou, in the Basque region of Southern France, is currently serving a sentence of 13 months' imprisonment as a result of his refusal, on grounds of conscience, to perform military service. He is a "total objector", that is, he did not apply for conscientious objector status and rejects alternative civilian service as well as military service. He bases his objection to both military and civilian service on his anti-militarist and political beliefs. He rejects the institution of the army in itself and also considers the French political authorities and the French army to be forces of occupation in the Basque region; he supports the eventual creation of an autonomous Basque state composed of the Basque provinces of both France and Spain.

Kittu Lascaray was ordered to present himself at a military barracks in La Rochelle on 12 October 1992 to commence his military service. However, he had already publicly announced his intention of refusing military service during a press conference held in June 1992.

At approximately 11pm on 4 November 1992 he was detained by the PAF (Police des Airs et des Frontières), the border police, in the village of Ainhoa, in the vicinity of Bayonne while he was putting up wall-posters. On checking his identity the police discovered that he had failed to report for military service, as ordered.

Kittu Lascaray was handed over to the gendarmerie (paramilitary police) and taken to their offices in Bayonne; the next day he was escorted to the military barracks at La Rochelle.

At the barracks, when he refused to put on military uniform, he was put under arrest and held in solitary confinement pending trial on a charge of insubordination [refus d'obéissance]. He reportedly carried out a brief hunger-strike in protest against his detention. He was transferred to a civilian prison in Poitiers shortly before his trial on 12 November 1992 when a court in Poitiers [Tribunal correctionnel de Poitiers] sentenced him to 13 months' imprisonment. He has entered an appeal against the sentence.

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AMNESTY INTERNATIONAL'S CONCERN

Amnesty International takes no position on whether or not states should provide for conscription and does not oppose the right of a state to request a citizen to undertake alternative civilian service. Nor does it agree or disagree with the motives of conscientious objectors. The organization works for the release of individual objectors who fall within its guidelines on conscientious objection (see attached) and works for the development of law and procedures which make due provision for conscientious objectors.

Amnesty International believes that an essential component of the right to conscientious objection to armed service is that alternative service should not be imposed as a punishment for such objection. In December 1991 the French parliament gave final approval to a bill on national service which reduced the length of military service from 12 to 10 months and the length of civilian service from 24 to 20 months. As the length of civilian service in France therefore remains twice that of ordinary military service, Amnesty International considers that it does not provide an acceptable alternative to military service. Those like Kittu Lascaray, who are imprisoned as a result of their rejection, on grounds of conscience, of both services are considered, therefore, to be prisoners of conscience.

