

EXTERNAL (for general distribution)

AI Index: EUR 25/12/91

Distr: UA/SC

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EXTRA 57/91

Medical Concern

29 August 1991

GREECE

Iakobos Mathioudakis (aged 19)

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Amnesty International is concerned about the health and welfare of conscientious objector Iakobos Mathioudakis. Iakobos Mathioudakis, an adopted prisoner of conscience, has been in Avlona Military Prison since March after he refused to perform compulsory military service on religious grounds. As a Jehovah's Witness he is opposed to any type of military service. Iakobos Mathioudakis is suffering from acute depression and recently spent three weeks in a military hospital for his condition. The hospital gave him a note for the military judge recommending that he should not be kept in prison in view of his psychological condition. When his lawyer presented the note to a military tribunal and requested his release from prison on grounds of ill health, the request was refused and one of the judges expressed scepticism about the seriousness of Iakobos Mathioudakis' condition. Since his return to prison his condition has continued to deteriorate. He is said to be eating very little, has lost a lot of weight and hardly talks at all. Iakobos Mathioudakis has a history of depression and has attempted suicide in the past. The prison guard who has responsibility for looking after Iakobos Mathioudakis is concerned for his safety and reportedly keeps him handcuffed at all times so that he will not harm himself.

Amnesty International has appealed to the Greek Government to order Iakobos Mathioudakis' release on medical grounds but has received no reply.

Iakobos Mathioudakis is due to be tried under Article 70 of the Military Penal Code charged with "insubordination" on 13 September at Athens Military Court.

Amnesty International fears that in view of the military judge's reaction to the hospital recommendation, the court will not take into consideration his poor health and will sentence him to four years' imprisonment, the usual punishment for conscientious objectors without dependants in Greece. Amnesty International considers all imprisoned conscientious objectors to be prisoners of conscience and appeals for their release, but considers that the case of Iakobos Mathioudakis should be dealt with as a matter of urgency.

#### **BACKGROUND INFORMATION**

There are some 400 conscientious objectors imprisoned in Greece, the majority are Jehovah's Witnesses. Amnesty International considers all of them to be prisoners of conscience. Greek law does not permit conscientious objectors to perform alternative civilian service instead of compulsory military service, which lasts up to 24 months. Conscientious objectors are allowed to carry out unarmed military service double the length of military service, but for most of them to serve in the armed forces in any capacity whatsoever is irreconcilable with their beliefs.

The right to refuse military service for reasons of conscience has been recognized by the United Nations Commission on Human Rights, the Council of Europe and the European Parliament. These bodies have recommended that states refrain from imprisoning conscientious objectors and instead grant them the right to perform alternative civilian service of non-punitive length. A draft law announced in 1988 by a former Greek Government which provided for alternative civilian service double the length of military service has still not been passed.

**RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:**

- calling for the immediate release of conscientious objector Iakobos Mathioudakis, imprisoned in Avlona Military Prison, due to be tried on 13 September by Athens Military Court;
- expressing concern that despite the fact that Iakobos Mathioudakis is suffering from acute depression, had to be hospitalized for his condition and was given a note recommending that he should not be kept in prison, he has not been released from prison and his condition continues to deteriorate;
- appealing that in view of his poor health he be released from prison on medical grounds.

**APPEALS TO**

Prime Minister Constantine Mitsotakis  
Office of the Prime Minister  
Megaron Maximou  
Herodou Atticou Avenue  
106 74 Athens  
Greece

**Dear Prime  
Minister**

**Telegrams: Prime Minister Mitsotakis, Athens, Greece**  
**Faxes: +30 1 322 44 66, +30 1 724 0764**

Mr Ioannis Varvitsiotis  
Minister of National Defence  
Ministry of National Defence  
Holargos (Pentagono)  
Athens

**Dear Minister**

**Telegrams: Defence Minister Varvitsiotis, Athens, Greece**  
**Telexes: 216780 rkqa gr**  
**Faxes: +30 1 646 55 84**

**COPIES TO:** Diplomatic representatives of Greece in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 13 September 1991.