

UA 311/94

Conscientious objection

25 August 1994

CYPRUS

Georgios Louka KARAMANOS, aged 29
Alvertos Louka KARAMANOS, aged 31
Georgios Costa ANTONIOU, aged 20
Andreas Ionathan CHARALAMBOUS, aged 20
Andreas Panayioti GEORGIOU, aged 18
Panayiotis Dimitris TALIA, aged 21
Savva Costa PERIKLI, aged 22
Dimosthenos Dimitraki LOIZOU, aged 23
Theodoros Antoni CHARALAMBOUS, aged 53
and 10 other conscientious objectors (names unknown)

At least 19 conscientious objectors to military service are reported to be facing trial in September and October 1994. All are Jehovah's Witnesses and as such are opposed to performing any form of military service as their religion does not permit them to serve in the armed forces in any capacity. They face up to one year's imprisonment as prisoners of conscience, in violation of their right to freedom of thought, conscience and religion.

Georgios Louka Karamanos will be called before the Military Court on 6 September, and his brother, Alvertos Louka Karamanos, father of two young children, will be called before the Military Court on 11 October. Georgios Louka Karamanos served a 10-month prison sentence in 1983 and a further 18-month prison sentence in 1985 for failing to enlist in the army. Alvertos Louka Karamanos served a 15-month sentence in 1983 for the same offence.

On 5 September Georgios Costa Antoniou, Andreas Panayioti Georgiou, Andreas Ionathan Charalambous and Panayiotis Dimitris Talia will be tried for refusing to enlist in the army.

On 26 September, Savva Costa Perikli, will be tried for refusing to enlist in the army. He served a four-month prison sentence in 1990 and a six-month sentence in 1993 for the same offence.

On 30 September, Dimosthenos Dimitraki Loizou will be tried for refusing to enlist in the army. He served a six-month sentence for the same offence in 1991. Theodoros Antoni Charalambous, a reservist, will also be tried on 30 September on charges of refusing to keep at his home a gun provided by the army.

BACKGROUND INFORMATION

In Cyprus all men between the ages of 18 and 50 are liable for military service and men under the age of 50 without dependants are required to participate as reservists in military exercises. However, there are also military exercises for reservists discharged from the normal military duties and for which men can be called up until the age of 55. The aim of these exercises (ethnofilaki - National Guard) is to keep the reservists up to date with military development and new armaments.

In January 1992 the Cypriot House of Representatives headed by former President George Vassiliou passed legislation recognizing for the first time in Cyprus the right of the individual to have conscientious objections to military service. The legislation provided for alternative service, but this is out of line with international standards: firstly, it is punitive in length (the

new legislation provides for 34 months unarmed service, in uniform and in military camps, or 42 months of civilian service (ordinary military service is 26 months), and secondly, the right to transfer to alternative service is suspended during periods of emergency or mobilization. Moreover, since those called up for military service must enlist before they may apply for alternative service, the new legislation would be unacceptable to most conscientious objectors and as far as Amnesty International is aware, no one in Cyprus has yet applied for recognition as a conscientious objector under the new provisions. By mid-1992 convictions had resumed at their previous rate with conscientious objectors being sentenced to even longer terms of imprisonment than before.

Cyprus is a member of the Council of Europe and the United Nations and a participating state in the Conference on Security and Co-operation in Europe (CSCE), which have adopted the following resolutions and recommendations urging member states to recognize the right to conscientious objection and to adjust their national legislation to make provision for alternative civilian service:

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"*.

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

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

- expressing concern that 19 conscientious objectors (naming some) are facing trial and possible imprisonment solely for exercising their right to freedom of thought, conscience and religion;
- calling on the government to ensure that, in line with international recommendations, a wholly civilian service of non-punitive length is introduced for conscientious objectors to military service and that, in addition, reservists and serving conscripts have the opportunity to perform such a service during periods of emergency or general mobilization.

APPEALS TO

1) Mr Glafcos Klerides
 President of the Republic of Cyprus
 Presidential Palace, Nicosia, Cyprus
Telegrams: President Klerides, Nicosia, Cyprus
Faxes: +357 2 445016
Salutation: Dear President

2) Dr Konstandinos Iliadhis
Minister of Defence
Ministry of Defence
Emmanouil Roidi 4, Nicosia, Cyprus
Telexes: 6006 MOD CY
Telegrams: Defence Minister Iliadhis, Nicosia, Cyprus
Salutation: Dear Minister

3) Mr Alexandros Evangelou
Minister of Justice
Ministry of Justice
1 Diogenes St, Engonti, Cyprus
Faxes: +357 2 461427
Telegrams: Justice Minister Evangelou, Engonti, Cyprus
Salutation: Dear Minister

COPIES TO: diplomatic representative of Cyprus accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 October 1994.