

PUBLIC

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Prisoner of Conscience

23 August 2005

GREECE

Boris Sotiriadis (m) aged 37

On 22 August, the Military Court of Xanthi sentenced Boris Sotiriadis to an unprecedented three and a half years' imprisonment without suspension even pending appeal, on charges of disobedience after he refused to serve in the army on the grounds that it conflicted with his religious belief. Amnesty International considers him to be a prisoner of conscience and calls for his immediate and unconditional release.

Boris Sotiriadis is a married father of two children aged three and nine. He is a Georgian national of Greek origin who became naturalized upon returning to Greece. He had served his military service in the former Soviet Union and later became a Jehovah's Witness. When the Greek army summoned him to report for military service at Avlona Military Camp on 1 August, he presented himself but refused to serve in the army citing religious conscientious objection and asked to serve alternative civilian service instead. However, Greek law 2510/97 does not permit this for those who have already served in the armed forces. Boris Sotiriadis was later sent to Didimoticho Military Camp where he also presented himself but refused to serve citing religious conscientious objection and again asked to serve alternative civilian service. He was refused and then sent to Military Court of Xanthi, on the charge of disobedience.

Not only was Boris Sotiriadis convicted, but he was also given an extremely heavy sentence of three and a half years' imprisonment without suspension, which is almost double the sentence that was imposed on similar cases in the past before law 2510/97 introduced alternative civilian service. His sentence is especially harsh as Greece is now at peace and disobedience is considered a misdemeanour instead of a criminal offence.

The Military Court of Xanthi rejected the defence's argument that Boris Sotiriadis had a "conflict of legal duties" between the army and his religion. However, Amnesty International notes that the Military Court of Athens has accepted similar arguments to those made by Boris Sotiriadis and acquitted cases of conscientious objectors such as Sergey Gutarov in 2005, Alexandros Evtousenko and Guram Almanidis in 2004. Such discrepancies in the application of the law highlight the inadequacy of provisions for alternative civilian service in Greece, both in law and in practice.

Boris Sotiriadis has said, "Nowadays especially, religion should teach peace, renounce war, violence and terrorism, and move its followers to live peacefully in practice. The Bible instructs that, 'Nation will not take up sword against nation, nor will they train for war anymore' (Isaiah 2.4). For this reason I refuse to be trained in how to fight but I want to serve my country by offering to do the civilian service. I don't understand why I am deprived of this right."

BACKGROUND INFORMATION

Amnesty International considers a conscientious objector to be any person who, for reasons of conscience or profound conviction, refuses to perform service in the armed forces or any other direct or indirect participation in wars or armed conflicts. This can include refusal to participate in a war because one disagrees with its aims or the manner in which it was being waged, even if one does not oppose taking part in all wars. Furthermore Amnesty International considers a person to be a prisoner of conscience when they are detained or imprisoned solely because they have been denied or refused their right to register an objection or to perform a genuinely civilian alternative service. They would also be prisoners of conscience if they are imprisoned for leaving the armed forces without authorization for reasons of conscience, if they have taken reasonable steps to secure release from military obligations.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- explaining that Amnesty International considers Boris Sotiriadis to be a prisoner of conscience imprisoned solely for his conscientious objection to military service;
- calling for his immediate and unconditional release;
- expressing concern that Boris Sotiriadis' exceptionally long prison sentence appears to be a result of the location of his trial, as similar cases heard in Athens have not received similar sentences.

APPEALS TO:

Mr Anastasios Papaligouras
Minister of Justice
Mesogeion 96
Athens 115 27
Greece

Email: minjust@otenet.gr

Fax: + 30210 775 5835

Salutation: Dear Minister

Dr Costas Karamanlis
Prime Minister of the Hellenic Republic
Megaro Maximou,
Herodos Attikos Street 19
Athens 106 74
Greece

Email: info@primeminister.gr

Salutation: Dear Prime Minister

COPIES TO:

Mr Spilios Spiliotopoulos
Minister of Defence
Mesogeion 151
Holargos
Athens 155 00
Greece

Fax: +30 210 644 3832

Salutation: Dear Minister

and 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 4 October 2005