

# AMNESTY INTERNATIONAL

## Media Briefing

AI Index: EUR 25/002/2006 (Public)  
News Service No: 081  
29 March 2006

### **Greece: Conscientious objectors -- persecution is not the solution**

"Persecution is not the solution to conscientious objection," Amnesty International said today, as five conscientious objectors await appeal hearings in Greece, and another conscientious objector faces the risk of arrest.

The international human rights organization wrote to the Greek Minister of National Defence this week, expressing concern about the continuing harassment and persecution of conscientious objectors, saying that the alternative civilian service remains punitive both in law and in practice and encourages discrimination. Copies of the letter were sent to the Minister of Justice and the Prime Minister.

"The right to refuse to perform military service is a legitimate exercise of the right to freedom of thought, conscience, and religion -- rights that Greece has an obligation to respect," said Olga Demetriou, Amnesty International's researcher on Greece.

"We urge the Greek government to reform all regulations on alternative civilian service to ensure that they adhere to European and international standards as well as to the recommendations of the Greek Ombudsman and the Greek National Commission for Human Rights."

The conscientious objectors expecting appeal hearings over the next two months are: Nikolaos Baltoukas on 30 March, Georgios Monastiriotis on 4 April, Lazaros Petromelidis on 4 May, Georgios Koutsomanolakis on 1 June, and Boris Sotiriadis on 24 May and 1 June. Dimitrios Sotiropoulos is at risk of arrest.

Law 3421/2005, which was passed by the Greek parliament on 23 November 2005 and deals with the issue of conscientious objection, does not fully comply with international human rights standards. In particular, Amnesty International considers the length of alternative civilian service to be of a punitive nature and is concerned that decisions on conscientious objection and the administration of alternative civilian service are not under an entirely civilian authority.

The new law also fails to recognize the right to claim conscientious objector status at any time, both up to and after entering the armed forces, and to ensure that the right to perform alternative civilian service can never be derogated from, including in times of war.

Amnesty International called for an amendment to current provisions that stipulate that conscientious objectors who carry out trade unionist activities or participate in a strike during their alternative service would have their right to alternative civilian service or unarmed military service revoked.

The organization also urged Greek authorities to ensure that conscientious objectors recover their full civil and personal rights (including that of travel outside the country, the right to a passport and identity card, and

the right to vote) and to guarantee the availability of information about the right to conscientious objection to military service, and the means of acquiring conscientious objector status, to all persons affected by military service.

Nikolaos Baltoukas, 38, was sentenced to a suspended 15-month prison term for insubordination by the Military Court of Xanthi on 18 May 2005. He had served his military service in the Greek army in 1990 - 91, but when called for reservist military service on 31 October 2004 refused to report on the grounds of conscience. A few months after his conviction he was called up again for reservist military service.

Georgios Monastiriotis, 26, who had joined the Greek Navy on a five-year contract, refused to follow his unit when the frigate he was serving on was sent to the Persian Gulf in May 2003. He cited conscientious reasons and declared his resignation from the Navy. In September 2004 he was arrested and sentenced to 40 months' imprisonment for desertion by the Naval Court of Piraeus. He was taken immediately to prison in Corinth, where he remained imprisoned for 22 days until his temporary release pending an appeal hearing. In January 2005 he was sentenced again by the Naval Court of Piraeus to five months' suspended imprisonment for desertion because he did not return to his unit.

Lazaros Petromelidis, 44, President of the Association of Greek Conscientious Objectors, objected to military service on the grounds of conscience in 1992 and has been repeatedly prosecuted and convicted since then. He refused to do the alternative service he was offered in 1998, as it was of an extremely punitive duration -- in his case, seven and a half times longer than the military service he would otherwise have had to perform. His conscientious objector status was then revoked. Since then, he has been regularly receiving call-up papers to serve in the military and has been repeatedly charged with insubordination because of his refusal, as a conscientious objector, to perform military service. He was previously imprisoned in May 1998, April 1999 and September 2002. In June 2003, the Appeal Military Court of Athens sentenced him to 20 months' imprisonment suspended for three years for insubordination. Upon his most recent sentence by the Naval Court of Piraeus (in absentia) to 30 months' imprisonment for insubordination in December 2004, the previous suspension of the sentence was lifted, meaning that he will have to serve a total prison sentence of 50 months once he is arrested.

Georgios Koutsomanolakis, 46, was sentenced to a suspended 24-month prison term for insubordination by the Military Court of Athens on 23 May 2005. He had been initially charged with insubordination in 1979, at a time when there was no alternative civilian service in Greece, because as a Jehovah's Witness he refused to serve military service on religious grounds. He fled Greece and was granted political asylum in Germany, where he has been living since then. He was arrested and detained on 12 May 2005 on the island of Rhodes while visiting his parents, and on 16 May he was transferred to Korydallos prison, Athens, where he remained imprisoned until his trial.

Boris Sotiriadis, 38, 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 2005, he presented himself but refused to serve in the army on the grounds that it conflicted with his religious beliefs and asked to serve alternative civilian service instead. However, as Greek law does not permit this for those who have already served in the armed forces, he was charged with disobedience. He 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 sent to Military Court of Xanthi, on a second charge of disobedience where he was sentenced to three and a half years' imprisonment without suspension even pending appeal on 22 August 2005. He remained imprisoned until 20 September 2005 when the Military Court of Appeal in Athens granted his release pending his appeal hearing which is set for 1 June 2006. Meanwhile, the hearing on the first charge of disobedience will be held at the Military Court of Athens on 24 May 2006.

Dimitrios Sotiropoulos, 40, Board Member of the Association of Greek Conscientious Objectors, declared his conscientious objection in March 1992, after he was called up for military service. The military authorities informed him that there was no provision for alternative civilian service and charged

him with insubordination. He received three summonses by the police, was banned from leaving the country and was summoned to report before Thessaloniki Military Court on charges of insubordination in November 1992. In July 1993 he was summoned again, and again he declared his conscientious objection. His passport was seized in September 1993, and two attempts to arrest him were made in June and August 1994. The police attempted to arrest him once again on the 10th of this month.

### **Background**

Greek conscientious objectors are regularly called up to military service, and every time they refuse to serve in the army a new prosecution is brought against them on grounds of insubordination, disobedience or desertion. This practice violates Article 14, paragraph 7 of the International Covenant on Civil and Political Rights, which states that: "No one shall be liable to be tried or punished again for an offence for which he has been finally convicted or acquitted in accordance with the law and penal procedure of each country."

In March 2005, the United Nations Human Rights Committee called on Greece to improve the situation of conscientious objectors noting that: "The Committee is concerned that the length of alternative service for conscientious objectors is much longer than military service, and that the assessment of applications for such service is solely under the control of the Ministry of Defence. The State party should ensure that the length of service alternative to military service does not have a punitive character, and should consider placing the assessment of applications for conscientious objector status under the control of civilian authorities."

### Public Document

\*\*\*\*\*

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566  
Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>