

AMNESTY INTERNATIONAL

Public Statement

17 January 2005

AI Index: EUR 25/003/2005

Greece: «Cease fire» for the conscientious objectors!

Amnesty International condemns in the strongest terms the new, second conviction of conscientious objector Giorgos Monastiriotis. The Naval Court of Piraeus sentenced him today for desertion to 5 months' imprisonment on suspension in case of appeal. If professional soldier Giorgos Monastiriotis is imprisoned for his conscientious opposition to participating in the recent war in Iraq, the worldwide human rights organization will consider him to be a prisoner of conscience, and will call for his immediate and unconditional release.

Amnesty International also condemns in the strongest terms the latest conviction of conscientious objector Lazaros Petromelidis, President of the Association of Greek Conscientious Objectors. On 16 December 2004 the Naval Court of Piraeus sentenced him in absence to 30 months' imprisonment for insubordination, lifting this way also the suspension of the previous 20 months' imprisonment sentence on 12 June 2003 by the Military Court of Appeal in Athens. If Lazaros Petromelidis is imprisoned, the organization will consider him to be a prisoner of conscience, imprisoned for his conscientious objection and will call for his immediate and unconditional release.

Amnesty International noted that both Giorgos Monastiriotis and Lazaros Petromelidis are prosecuted repeatedly for the same offence (desertion and insubordination respectively), as they are called-up repeatedly by the military authorities. Every time they refuse to serve in the army a new prosecution starts against them. This violates in essence the basic legal principle that nobody can be judged twice for the same offence.

"Unfortunately Greece, although a European country, continues to prosecute and imprison conscientious objectors despite all the clear recommendations from European and international institutions and organizations" Amnesty International said.

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 conscripts or professional soldiers who have developed a conscientious objection after joining the armed forces. In Greece the right to conscientious objection is not recognized for either volunteer or professional soldiers after their entry into the armed forces.

Giorgos Monastiriotis, who had joined the Greek Navy on a five year contract, had refused, citing conscientious reasons to follow his unit in May 2003 when the frigate "Navarino", on which he was serving, was sent to the Persian Gulf. He is the first Greek professional soldier known to refuse to participate in the recent war in Iraq on the basis of his conscientious objection and to declare his resignation from the Navy for this reason. In his public refusal in May 2003, Monastiriotis had stated that: *"I consider that my participation in this mission consists of collaboration in the murdering of the Iraqi people. I refuse on grounds of conscience to participate in or contribute by any means to the relentless massacre of the Iraqi people, in a war that is not finishing, since even now, after its official end, people, even children are still being killed... My refusal is also a minimal act of solidarity with the Iraqi people as well as to the*

peaceful sentiments of the Greek people."

Lazaros Petromelidis objected to military service on grounds of conscience in 1992 and has been repeatedly prosecuted 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. Since then, Lazaros Petromelidis 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 do military service. He was previously imprisoned in May 1998, April 1999 and September 2002. Amnesty International considers Lazaros Petromelidis' convictions to be in violation of his right to serve alternative civilian service that is not discriminatory or punitive in nature and length.

"Seven years after the introduction of Law 2510/97, which for the first time offered the possibility of alternative civilian service in Greece, and despite a series of declarations by the authorities promising its improvement, we believe that the alternative civilian service, both in law and in practice, continues to be of a punitive nature and to discriminate against conscientious objectors," Amnesty International said.

"We urge the Greek authorities to stop immediately the prosecutions of all conscientious objectors and to introduce urgently alternative civilian service according to European and international standards and recommendations".

Background

Amnesty International's concerns are described in detail in the report entitled Greece: To be in the army or choosing not to be: the continuous harassment of conscientious objectors (AI Index: EUR 25/003/2003).

In brief, the organization urges the Greek authorities to amend Law 2510/97 in order to ensure that:

- alternative civilian service is not of discriminatory and punitive length;
- alternative civilian service falls under entirely civilian authority (including the examination of applications for conscientious objectors);
- conscientious objectors have the right to claim conscientious objector status at any time, both up to and after entering the armed forces;
- the right to perform alternative civilian service can never be derogated from, including in time of war;
- conscientious objectors who carry out trade unionist activities or participate in a strike during their alternative service do not have their right to alternative civilian service or unarmed military service revoked;
- conscientious objectors who have legal proceedings pending against them will have their full civil and personal rights recovered, including that of travel outside the country, the right to a passport and identity card, and the right to vote.

Similar concerns have also been raised by the Greek Ombudsman and the Greek National Commission for Human Rights.