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Public Statement

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Greece has broken European consensus

JOINT PUBLIC STATEMENT

Amnesty International, European Bureau for Conscientious Objectors and War Resisters' International

"It is high time the Greek authorities respect and comply with European and international standards and recommendations and put an end to all prosecutions, imprisonments and violations of the human rights of conscientious objectors" the three international organisations stated today, condemning in the strongest terms the recent wave of sentences against conscientious objectors in Greece. *"The Greek government cannot turn a blind eye to the problem any more,"* they stressed.

The right to refuse to perform military service is a legitimate exercise of the fundamental right to freedom of thought, conscience and religion, enshrined in international human rights treaties to which Greece is a State Party, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the European Convention on Human Rights.

"Greece cannot continue convicting people for exercising their human right to conscientious objection. We urge the Greek government to take action to stop immediately the prosecutions of all conscientious objectors, recover their civil and political rights and bring the provisions for conscientious objection in line with European and internationally recognized standards and recommendations (of the United Nations, the European Parliament, the Council of Europe and the Organization for Security and Cooperation in Europe) as well as in line with the recommendations of the Greek Ombudsman and the Greek National Commission for Human Rights," Amnesty International, European Bureau for Conscientious Objectors and War Resisters' International stated.

Just recently, 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."*

However, as recently as May 2005, four more conscientious objectors were sentenced to suspended imprisonment of six to 24 months while one of them remained imprisoned for 11 days awaiting his trial. They have all appealed against their verdicts and are awaiting their appeal hearings.

On 10 May conscientious objector Makedonas Alexandridis was given a suspended sentence of six

months for disobedience by the Military Court of Ioannina. Alexandridis had served his military service in the Russian army. Later, he became a Jehovah's Witness, so when the Greek army called him to report for military service he asked to serve alternative civilian service instead. However, the right to conscientious objection is not recognised under Greek Law 2510/1997 for those who have already served in armed forces.

On 17 May conscientious objector Andreas Anastasiou was given a suspended sentence of six months for insubordination and disobedience by the Military Court of Larissa. Anastasiou had served his military service in the Greek army, but later became a Jehovah's Witness, so when he was called up for reservist military service he refused to report on religious grounds.

On 18 May conscientious objector Nikos Baltoukas was sentenced to a suspended 15-month prison term for insubordination by the Military Court of Xanthi. Baltoukas had served his military service in the Greek army but when he was called up for reservist military service he refused to report on grounds of conscience.

On 23 May conscientious objector Georgios Koutsomanolakis was sentenced to a suspended 24-month prison term for insubordination by the Military Court of Athens. Koutsomanolakis was 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 Greek island of Rhodes during a visit to his parents and on 16 May he was transferred to Korydallos prison, Athens, where he remained imprisoned until his trial.

In addition, conscientious objectors Lazaros Petromelidis and Giorgos Monastiriotes have both been repeatedly sentenced by Military Courts to heavy prison sentences for their conscientious objection.

Lazaros Petromelidis, President of the Association of Greek Conscientious Objectors, objected to military service on 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 -- and he got his conscientious objector status 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 do 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. With his most recent sentence in absentia to 30 months' imprisonment for insubordination in December 2004 by the Naval Court of Piraeus, the previous suspension of the sentence was lifted, meaning that he will have to serve a total prison sentence of 50 months as soon as he is arrested. The repeated prosecutions and convictions of Petromelidis contravene his right to conscientious objection since the alternative civilian service that he is called to perform should not be discriminatory or punitive in nature and length.

Giorgos Monastiriotes, who had joined the Greek Navy on a five-year contract, 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, he stated that: *"I refuse on grounds of conscience to participate in or contribute by any means to the relentless massacre of the Iraqi people... My refusal is also a minimal act of solidarity with the Iraqi people as well as to the peaceful sentiments of the Greek people."* 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 his appeal hearing. In January 2005 he was sentenced again by the Naval Court of Piraeus to 5 months' imprisonment for desertion which was suspended pending appeal. He appealed and was released until his appeal trial. Monastiriotes' convictions are in violation of his right to change his beliefs and develop a conscientious objection after joining the armed forces.

In addition, both Lazaros Petromelidis and Giorgos Monastiriotis 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 and desertion respectively. This 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.*"