



## PRESS RELEASE

### **Military trial of 53year old pioneer conscientious objector sets another negative record for Greece**

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The European Bureau for Conscientious Objection expresses its indignation for the forthcoming trial of Panagiotis Makris by the 3-membered Military Court of Thessaloniki on Thursday, June 1<sup>st</sup>, for an offence of "insubordination" since 1990!

Panagiotis Makris is one of the pioneer non-religious conscientious objectors in Greece who have been struggling for the recognition of the right to conscientious objection since the '80s. His brother Thanassis was one of the first two conscientious objectors on ideological grounds who had been imprisoned in those years and had entered in long-term hunger strikes to claim their freedom but also everybody's right to conscientious objection. In 1998, when the first legislation for alternative civilian service came into force, Panagiotis Makris' application was rejected for bureaucratic reasons. But even if he had been recognized as a conscientious objector he would have been required to perform a punitive alternative service. Almost two decades later, the alternative service remains punitive in Greece (67% longer than the military service for the vast majority of conscripts).

In Greece conscripts are exempted from the military service at the age of 45, but prosecutions for previous periods of "insubordination" continue to be valid. Nevertheless, according to the Law 4361/2016, Article 12, paragraph 8, all prosecutions of conscientious objectors for "insubordination" before the first law providing for alternative service came into force (1/1/1998) should cease and be archived by the prosecutor. In violation of this provision, the prosecutor referred Makris' case to the military court.

Makris should have not been prosecuted in the first place, as his prosecution is also in violation of the international human rights law. More specifically Greece's treatment of Panagiotis Makris throughout the years constitute:

- Violation of his right to freedom of thought, conscience and religion (Article 18 of the International Covenant on Civil and Political Rights and Article 9 of the European Convention on Human Rights)
- Violation of the right to freedom from discrimination (Article 26 of ICCPR and Article 14 of the ECHR) as he has been discriminated for reasons of belief.
- Violation of the right to be free to leave any country, including his own (Article 12.2 of ICCPR and Article 2.2 of the 4th Protocol to the ECHR), as he has been prevented to travel abroad for several years.
- Violation of the right to a fair and public hearing by a competent, independent and impartial tribunal established by law (Article 14.1 of ICCPR and Article 6 of the ECHR, as found by the European Court of Human Rights in the cases of conscientious objectors tried in military courts).

The continuous persecution and violation of human rights of Panagiotis Makris illustrates not only the vindictive stance of the military authorities against the pioneer conscientious objectors and especially Makris family, but also reflects the situation of all conscientious objectors in Greece despite [numerous condemnations](#) by international human rights instruments and the [repeated promises](#) of the Greek government for reform.

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EBCO was founded in Brussels in 1979 as an umbrella structure for national associations of conscientious objectors in the European countries to promote the right to conscientious objection to preparations for, and participation in, war and any other type of military activity as a fundamental human right. It enjoys participatory status with the Council of Europe since 1998 and is a member of its Conference of International Non-Governmental Organisations since 2005. It provides expertise and legal opinions on behalf of the Directorate General of Human Rights and Legal Affairs of the Council of Europe. It is involved in drawing up the annual report of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament on the application by the Member States of its resolutions on conscientious objection and civilian service, as determined in the "Bandrés Molet & Bindi Resolution" of 1994. It is a full member of the European Youth Forum since 1995.