

SUBMISSION

TO THE 133rd SESSION OF THE HUMAN RIGHTS COMMITTEE

GREECE

Contribution for the adoption of the List of Issues Prior to Reporting

Conscientious objection to military service and related issues

Updated August 2021

COUNTRY PROFILE

Population: 10,752,626¹

Military recruitment: Obligatory for males

Minimum age: 18

Length of (full) military service: 12 months

Conscientious objection: provisions introduced in 1997, entry in force in 1998

Length of (full) alternative service: 15 months

Issues: violations of the right to conscientious objection and other human rights of conscientious objectors

INTRODUCTION

Greece has a longstanding record of violations of the right to conscientious objection and other human rights of conscientious objectors. Since 2015, violations and failures to comply with international human rights law and standards have been highlighted by at least six UN and European human rights bodies.²

Despite certain positive steps in the 2019 amendments of certain legislative provisions for conscientious objectors in the context of a new law³ and subsequent Ministerial Decisions, serious violations of human rights of conscientious objectors and Greece's obligations towards them remain unaddressed, as it has been pointed out also by Amnesty International.⁴ The failure of the new legislation to recognize the right to conscientious objection to military service in accordance with international human rights standards has been pointed out by the Special Rapporteur on freedom of religion or belief, in a communication to the new elected Greek authorities on July 11th 2019.⁵

Most importantly, the new Greek government, instead of responding to the concerns of the Special Rapporteur by implementing the recommendations of the Human Rights Committee, has moved towards annulling recent positive amendments about conscientious objectors, such as the reduction of the length of alternative civilian service done by the previous government.

A) MAIN VIOLATIONS OF THE RIGHT TO CONSCIENTIOUS OBJECTION

1) Punitive and discriminatory alternative civilian service

i) Insufficient benefits or/and salary

The Human Rights Committee has requested Greece to review the legislation in order for the alternative service in Greece not to be punitive and discriminatory, referring *inter alia* to the cost of the service.⁶

According to the legislation⁷, conscientious objectors performing alternative service are either entitled food and housing, without any salary whatsoever, or otherwise receive a monthly salary, set by ministerial decision since 2005 to € 223.53, but it is prohibited by law to be paid any other amount of money for any reason.

For those conscientious objectors provided food and housing, but no salary whatsoever, it is hardly possible to have a decent living, especially considering the extensive period of time (15 months of alternative service) for which they should remain without any salary. Obviously, such a situation is even more unbearable for conscientious objectors of lower income.

Furthermore, they are discriminated in comparison to conscripts serving in the armed forces. Conscripts, despite the fact that they are also provided food and housing inside the military premises, nevertheless, they receive certain amount of money – while conscientious objectors do not. Furthermore, conscripts receive certain personal items, while conscientious objectors do not.

As for those conscientious objectors who are not provided food and housing, the salary they receive is completely insufficient to provide an adequate standard of living according to international human rights standards. In 2015, when the minimum salary was less than the current one, namely it was € 586.08 or € 510.95 for workers under 25 years of age,⁸ the Committee on Economic, Social and Cultural Rights had raised concerns that it was not sufficient to provide workers and their families

with a decent living in line with article 7 of the ICESCR.⁹ Accordingly, the € 223.53 for conscientious objectors are absolutely insufficient to provide them with an adequate standard of living in terms of Articles 7 and 11 of the ICESCR.

It is worth also noting that while there are some provisions for reduced service according to the family status, however, there are no provisions for a greater salary.

In addition, the prices for house rental have been increased in recent years, especially in certain areas of Greece, mainly due to the proliferation of short-term rental through relevant internet platforms.¹⁰ However, there is no provision whatsoever to adjust the salary of conscientious objectors according to the rental prices of the area where the alternative service is performed.

An additional discrimination concerns the fact that while conscripts serving in the armed forces receive a free pass for certain public transportation means,¹¹ conscientious objectors do not. This issue had been brought to the parliament since 2011, and the then Minister of National Defence had replied he would look at it,¹² but this issue does not appear to have been resolved.

ii) Discrimination as of the location of service

The alternative service consists in the provision of services of public benefit in areas other than the place of residence, which in 2016¹³ was further extended to the entire region of residence. There is no such explicit restriction for conscripts serving in the armed forces who might be able to perform part of their service in the region of their residence.

According to the Human Rights Committee, “the requirement to perform such services away from places of permanent residence” can be one of the factors rendering the conditions of alternative service in a country “punitive in nature”.¹⁴ In the case of Greece, the Human Rights Committee, indeed referred also to the nature of the service.¹⁵

The Greek National Commission for Human Rights has consistently stated that the geographical criterion for the completion of the alternative social service should be in conformity with the same rules that apply to regular armed military service.¹⁶ Currently conscientious objectors are not allowed to serve in the region of their residence, a restriction which does not apply to conscripts serving in the armed forces.¹⁷

A further discrimination related to the location of service comes in conjunction with the issue of length. While conscripts performing the entire period of their military service in certain eastern border areas are provided with a reduction of 3 months of military service (9 months instead of 12 months), there is no provision for reduction of the length of alternative service for those conscientious objectors performing the entire period of alternative service in the same or any other border areas.

iii) Punitive and discriminatory length

Following international recommendations, in June 2019 a Ministerial Decision by the then Alternate Minister of National Defence reduced the length of the full alternative service from 15 to 12 months and the length of the three categories of reduced alternative service to (almost) the same length as for the reduced military service. However, in contravention of international and regional human rights standards and the recommendations of the Human Rights Committee¹⁸ and the Special Rapporteur on freedom of religion or belief,¹⁹ this Ministerial Decision was annulled in October 2019

by the Joint Decision of the new Deputy Ministers of Finance and National Defence, which reinstated the previous length for all categories.²⁰ This case of reduction by one government and subsequent increase by the next one, within only a few months, illustrates how the determination of the length of alternative civilian service is based rather on political considerations instead of reasonable and objective criteria.

In a separate recent development, in February 2021, a Joint Decision of the same Ministers increased the length of the full military service in the Army, where the vast majority of conscripts serve, from 9 to 12 months, making it equal to that in the Navy and Air Force.²¹

However, even after this development, the length of the full alternative civilian service continues to be significantly and unjustifiably longer (15 months, that is, 3 months longer than the military service). According to the UN standards “Any duration longer than that of military service is permissible only if the additional time for alternative service is based on reasonable and objective criteria. Equalizing the duration of alternative service with military service should be considered a good practice.”²²

Furthermore, the European Parliament has repeatedly asked for the length of alternative service to be equal with that of military service, both in general,²³ as well specifically in the case of Greece.²⁴

Worth noting also that apart from the category of full service, there are three categories of reduced service and that the length of the third category of reduced alternative civilian service is 67% longer compared to the equivalent category of reduced military service (5 months compared to 3). Considering that this specific third category of reduced service concerns persons of a particularly vulnerable family status, this significant additional length of the alternative service (67% longer, beyond any international human rights standards) becomes an important human rights issue.

An additional issue is that of discrimination as of the length of a service when this is performed in its entirety at the borders, as it has been previously described. While certain conscripts performing a military service at the eastern borders have a duty of only 9 months, conscientious objectors serving in the same areas have a duty of 15 months, that is, 67% longer.

Finally, the issue of greater length leads to an additional discrimination in terms of cost, as described below.

iv) Discrimination as of cost for conscientious objectors above 33 years of age

The Human Rights Committee, has requested Greece to review the legislation in order for the alternative service in Greece not to be punitive and discriminatory, referring *inter alia* to the cost of the service.²⁵

The law provides the opportunity for conscripts of certain age to perform only a small part of their service and buy out the rest. An amendment of the legislation in 2019 partially addressed some aspects of the discrimination faced by conscientious objectors in this regard: the age above which someone is entitled to buy out was made equal for conscientious objectors and conscripts performing military service (33 years) and the minimum period of alternative service required to be actually performed before buying out the rest, was made equal to that of the equivalent minimum period of military service (20 days). However, the most significant aspect of the discrimination remained unaddressed. The law provides that the amount of money for each month of military service, should be equal to the amount of money for a month of alternative service. However, given the greater length of alternative service, the overall amount of money for buying out the same duty is greater

for conscientious objectors. Considering that the amount of money for each month has been set to € 810 euros, this means that the conscientious objectors during the previous years have been required to pay thousands of euros more than the conscripts and even in the current situation, where the full alternative service is 3 months longer, they are required to pay up to € 2,430 more. Such discrimination has been pointed out by the **Ombudsman**,²⁶ the **GNCHR**,²⁷ **Amnesty International**²⁸ and the **Special Rapporteur**.²⁹

2) Inadequate procedure of examination of applications for conscientious objector status

The decision on applications for recognition of conscientious objectors is taken by the Minister of National Defence after a non-binding recommendation by a five-membered special committee with military participation. The Human Rights Committee has expressed concerns about “the composition of the Special Committee and its reported lack of independence and impartiality”. Consequently, the Human Rights Committee reiterated its recommendation to Greece to “consider placing the assessment of applications for conscientious objector status under the full control of civilian authorities”.³⁰

Following a judgement of the European Court of Human Rights in 2016,³¹ an amendment of the legislation in 2019 reduced the number of military officers in the committee from two to one.³² While this is a step in the right direction, the amended provision continues to be in contravention of the recommendations of the Human Rights Committee by not requiring the new Special Committee to be wholly civilian and ensuring that the decision of granting conscientious objector status is not made by the Minister of National Defence. As a result, the amended legislation still fails to place the assessment of applications for conscientious objector status under the full control of civilian authorities. This has been recognised by the **OHCHR**³³ the **Special Rapporteur on freedom of religion or belief**,³⁴ the **Greek National Commission for Human Rights**,³⁵ **Amnesty International**³⁶, the **European Bureau for Conscientious Objection**³⁷ and others.³⁸

An additional problem of the procedures is the lack of an effective appeal procedure. In theory, there are two kinds of available appeal procedures, the administrative one (“aitisi therapeias”), and the judicial one.

The judicial appeal can be submitted to the Council of State, the Supreme Administrative Court of Greece. However, apart from the (prohibitive for many conscientious objectors) cost of such an appeal, the other problem is that “the scrutiny performed by the Supreme Administrative Court in the event of an appeal against the Minister of National Defence’s decision, it extends only to the lawfulness of the decision and not to the merits of the case, and is based on the assessments made by the members of the special committee”, as it has been pointed out by the **European Court of Human Rights**.³⁹

As for the administrative appeal (“aitisi therapeias”), the problem is that it is considered under the very same procedure as the initial application, that is, by the Minister of National Defence, after recommendation by the same special committee, which includes a military officer. Therefore, the same issues of independence and impartiality remain under this procedure.

3) Discrimination between different categories of conscientious objectors

The Human Rights Committee has expressed concerns about “reports indicating discrimination on

the basis of different grounds of objection”⁴⁰, echoed by the **Special Rapporteur on freedom of religion or belief**⁴¹ and the **OHCHR**.⁴² Such discrimination has been pointed out since several years by the **Greek Ombudsman**,⁴³ who mainly identified a discrimination between those applicants citing religious grounds and those applicants citing ideological grounds. As it has been pointed out by the **European Court of Human Rights**: “In this connection, the Court observes that in his recommendation of 2013 the Greek Ombudsman pointed out that, while for conscientious objectors classified as “religious”, the special committee required no more than a certificate from the religious community concerned and did not even call them to an interview, “ideological” objectors were often required to answer questions concerning sensitive personal information ...”⁴⁴

However, a more careful study reveals an even more complex situation. The discrimination is not only or simply between those citing religious and those citing ideological grounds, but also between different religious grounds. The case of Mr. Petros Sotiropoulos, a Christian Evangelist who spent more than ten years in failed attempts to be recognised as conscientious objector on religious grounds, cited by the Special Rapporteur in 2016 is illustrative.⁴⁵ According to the information we received, after all these years and after the aforementioned communication by the Special Rapporteur explicitly citing his case, Mr. Sotiropoulos has been finally granted conscientious objector status but still not on religious grounds, but rather because of a second application he had submitted, this time on ideological grounds.

Furthermore, IFOR has received alarming information about the case of a conscientious objector who cited religious grounds, he has been indeed granted conscientious objector status, and has performed alternative civilian service, but he has been officially recognised as a conscientious objector “on ideological grounds” instead of religious ones. This case illustrates on the one hand the fact that Greek authorities do not want to appear giving conscientious objectors status on religious grounds to persons of religious beliefs other than Jehovah’s Witnesses, and on the other hand, that one cannot rely on official statistics.

Another category of conscientious objectors who face difficulties to be granted conscientious objector status are those Jehovah’s Witnesses who are not yet baptised. In this regard, conscientious objectors had to appeal to the Council of State which ruled that baptism cannot be the only mean to prove the adoption of a dogma.⁴⁶

A further category is that of persons who have been raised in a family of Jehovah’s Witness, have adopted the same pacifist ideas and beliefs which prevent them from performing a military service, but for other reasons, have not become Jehovah’s Witnesses. The Papavasilakis’ case, examined by the **European Court of Human Rights**, is illustrative of this category and of the problems they face.⁴⁷ Despite the judgement of the ECtHR in this case, which *inter alia* led to a recognition of Papavasilakis as a conscientious objector⁴⁸, other similar cases still face problem. IFOR is aware of a very similar case, that of Haris Vassileiou, whose application has been rejected, and his appeal at the Council of State (the Supreme Administrative Court) is pending.

Finally, the category of conscientious objectors on ideological grounds is also still facing problems and discrimination. An illustrative case is the one of A.V., whose application has been rejected, and his administrative appeal (“aitisi therapeias”) is pending. One of the most alarming elements of this case is that the special committee took into consideration for its negative recommendation to the Minister, the fact that A.V. has sincerely declared before the special committee that perhaps he might not be able to perform the alternative service because of his difficult financial situation in conjunction with the punitive conditions of the alternative service (see above in part C1(i)). A conscientious

objector should never be deprived of his right to conscientious objection because of his financial situation. And the fact that someone might not be able to perform (or conclude) a punitive alternative civilian service should never be the reason to be deprived of his conscientious objector status and face punishment.

4) Punishment of certain categories of conscientious objectors

i) Categories of conscientious objectors who are punished

Certain categories of conscientious objectors in Greece, who, for one reason or the other, do not perform the punitive and discriminatory alternative civilian service face punishment as “insubordinate”. Such categories are the following:

- Those whose applications for conscientious objector (CO) status have been unfairly rejected because of the problematic procedure of examination. In this case they are required to perform military service and if they insist in their conscientious objection, they are declared insubordinate and face the relevant punishment (see below).
- Those who are granted CO status, but because of the punitive conditions (cost, location of service, duration), they find themselves unable to conclude the service. In that case, their CO status is revoked and they are required to perform certain months of military service and if they insist in their conscientious objection, they are declared insubordinate and face the relevant punishment.
- Those who commit a disciplinary offence during their alternative service, which results in their CO status being revoked. In that case, they are required to perform months of military service and if they insist in their conscientious objection, they are declared insubordinate and face the relevant punishment.
- Most often, those who refuse to perform the (punitive and discriminatory) alternative civilian service, including, but not limited to, those self-identified as “total objectors”. They are also declared insubordinate and face the relevant punishment. As it has been made known by groups of total objectors and media reports,⁴⁹ in February 2019 alone, at least three total objectors have been sentenced by the Military Court of Athens to (suspended) sentences of 12 and 18 months of imprisonment, respectively. In March 2019, the trial of another total objector, who is being repeatedly prosecuted, has been postponed. In May 2019, the trial of another total objector who is being repeatedly prosecuted, has been also postponed.

Taking into consideration the punitive and discriminatory character of the alternative civilian service as well the inadequate procedures of examination for CO status, as they have been pointed out by international and regional human rights bodies, none of the aforementioned categories of conscientious objectors should be punished.

ii) The punishment for insubordination

Being declared as “insubordinate” entails risk of arrest at any given moment. In recent years the arrest and detention in these circumstances, as documented by Amnesty International,⁵⁰ last from some hours to a couple of days, until either the “insubordinate” is brought before a military court for a trial, or –more often – his trial is scheduled for a later date and he is released.

The punishment for each period of insubordination includes in all cases:

- An administrative fine of €6,000, which is increased as long it remains unpaid, and can result

also to confiscation of property.

- A prison sentence up to 2 years. It is often, but not always, a suspended sentence, depending on the criminal record. Furthermore, it is usually eligible to be converted to a financial penalty of several thousands of euros – which is different from the administrative fine cited above.
- Further sanctions, such as: deprivations of the right to be employed in the public sector, and for those who have been irrevocably convicted for insubordination or desertion, the deprivation of the right to exercise a profession which requires a special permission by the authority and of the right to vote and to be elected. The “insubordinate” or deserters are prohibited from migrating abroad or from being employed in ships travelling abroad, and from having a passport issued or renewed, except for the insubordinate residing in foreign countries.

B) VIOLATIONS OF FUNDAMENTAL PRINCIPLES OF INTERNATIONAL LAW IN THE CASE OF CONSCIENTIOUS OBJECTORS IN GREECE

1) Repeated punishment of conscientious objectors in violation of *ne bis in idem*

Punishment for insubordination does not entail exemption from military duties, (unless someone has actually served a prison sentence equal or greater than the length of alternative service he would have been required to perform if he had been recognised as a conscientious objector,⁵¹ which nowadays does not occur in practice). Consequently, the conscientious objectors are repeatedly called-up, and repeatedly punished. In theory, such a repeated punishment is unlimited as of the number of sentences and fines, and in practice IFOR is aware of cases of conscientious objectors who have been punished (at least) 5 times (e.g. the case of Lazaros Petromelidis, see further below).

Such a repeated punishment is in violation of the *ne bis in idem* principle (Article 14.7 of ICCPR), as it has been found by the Human Rights Committee⁵² in its concluding observations on Greece, a position highlighted also by the current and previous Special Rapporteurs on freedom of religion or belief.⁵³

The WGAD, besides the violation of Article 14.7 of ICCPR⁵⁴, has also found that “repeated incarceration in cases of conscientious objectors is directed towards changing their conviction and opinion, under threat of penalty”,⁵⁵ and thus it contravenes also Article 18, paragraph 2 of the ICCPR, which prohibits “coercion which would impair his freedom to have or to adopt a religion or belief of his choice”.

2) Failure to provide access to an effective remedy including adequate reparations

Despite consecutive amendments of the relevant legislation, Greece has always failed to recognize the violations of the right to freedom of thought, conscience and religion and of other human rights, committed to this day against conscientious objectors and provide effective remedy. This includes those who had declared their conscientious objection before the establishment of the alternative civilian service in 1998.

Despite a legislative provision of 2016⁵⁶ which ended pending cases of prosecution against those who had declared their conscientious objection before 1998, by which it was implicitly admitted

that they should have not been prosecuted, nevertheless, Greece has failed to address the cases of those already sentenced and punished and provide them adequate reparations.

An illustrative case is that of Lazaros Petromelidis, who had declared his conscientious objection since 1992, and until 2014 he has been sentenced for five different periods of insubordination (merged in three cases before military courts), has been deprived of his liberty at least four times (87 days in total), has paid two financial penalties instead of imprisonment (corresponding to four sentences) and has faced multiple violations of his human rights, including the right to leave his country, for many years. Lazaros Petromelidis has been repeatedly declared a prisoner of conscience by Amnesty International”.⁵⁷ Greece continues to fail to recognise the human rights violations committed against Mr. Petromelidis and provide him with adequate reparations.

Furthermore, the legislative provision of 2016 fails to recognise that the violations of the rights of conscientious objectors continued also for those who have declared their conscientious objection after 1998 and till today.

C) SUGGESTED QUESTIONS TO THE STATE PARTY, FOR THE LIST OF ISSUES PRIOR TO REPORTING

The following questions are suggested in order to have a better understanding of the situation:

- 1) What is the monthly amount, if any, provided to conscripts serving in the armed forces, if there is a wage scale according to family or other status, and if there have been any plans to provide equivalent amount of money to those conscientious objectors who only receive food and housing but no salary whatsoever while performing alternative civilian service?
- 2) What is the minimum salary in Greece and what percentage of the minimum salary is the salary provided to those conscientious objectors who are not provided food and housing while performing alternative civilian service?
- 3) What is the percentage of recognition for (a) applicants claiming to be Jehovah’s Witnesses, (b) applicants citing religious reasons other than Jehovah’s Witnesses, (c) applicants stating they have been raised in a Jehovah’s Witness family and share their pacifist ideas and beliefs but they are not Jehovah’s Witnesses, (d) applicants citing ideological reasons, since the introduction of alternative service in Greece?
- 4) What is the percentage of successful administrative appeal (“aitisi therapeias”) in case of rejection of application for CO status, since the introduction of alternative service in Greece?

¹ International Institute for Strategic Studies, *The Military Balance 2020*, p. 111.

² UN Human Rights Committee, Concluding observations on the second periodic report of Greece, ([CCPR/C/GRC/CO/2](#)), 3 December 2015, paras. 37-38; UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Greece, ([A/HRC/33/7](#)), 8 July 2016, recommendation 136.15 (Uruguay), 136.16 (Slovenia); ECtHR, [CASE OF PAPAVALAKIS v. GREECE](#), Application No 66899/14, 15.9.2016; UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2016](#), 31 October 2016; ECSR, [Conclusions XXI-1 - Greece - Article 1-2](#), para. 3. Other aspects of the right to earn one’s living in an occupation freely entered upon. Service alternative to military service; OHCHR, Conscientious objection to military service, Analytical report of the Office of the United Nations High Commissioner for Human Rights, ([A/HRC/35/4](#)), 1 May 2017, paras. 18 (note 29),

51, 53, 54 (note 77); OHCHR, Approaches and challenges with regard to application procedures for obtaining the status of conscientious objector to military service in accordance with human rights standards, ([A/HRC/41/23](#)), 24 May 2019, paras. 7, 24, 29, 34, 36 (note 47), 38 (note 49), 41, 46-47; UN Special Rapporteur on freedom of religion or belief, Communication [GRC 3/2019](#), 11 July 2019.

³ Law 4609/2019, especially Articles 22-23, available at: <https://www.e-nomothesia.gr/kat-enoples-dynameis/nomos-4609-2019-phek-67a-3-5-2019.html> (in Greek).

⁴ Unprecedented, Unacceptable and Contrary to International Law, the increase of alternative service for conscientious objectors, Amnesty International, Greek Section, Press Release of 16 October 2019, available at: <https://www.amnesty.gr/news/articles/article/22571/protofanis-aporadekti-kai-antitheti-sto-diethnes-dikaio-i-ayxistis>;

Government must uphold its commitments to conscientious objectors, Amnesty International, Greek Section, 15 May 2019, available at <https://www.amnesty.gr/news/press/article/22170/i-kyvernisi-na-tirisei-tis-desmeuseis-tis-pros-toys-antirrisies-syneidisis>;

Greece: Observations on the Right to Conscientious Objection, Serious Violations of Greece's Obligation towards Conscientious Objectors Remain Unaddressed in Proposed Bill despite Some Positive Steps, 20 March 2019, Index number: EUR 25/0088/2019, available at: <https://www.amnesty.org/en/documents/eur25/0088/2019/en/>.

⁵ UN Special Rapporteur on freedom of religion or belief, Communication [GRC 3/2019](#), 11 July 2019.

⁶ UN Human Rights Committee, Concluding observations on the second periodic report of Greece, ([CCPR/C/GRC/CO/2](#)), 3 December 2015, para. 38.

⁷ Law 3883/2010, article 78, passage k [α], which has amended the sub-paragraph d of the renumbered paragraph 2 of article 64 of the law 3421/2005. Joint ministerial decision 2/24407/0022/09-06-2005 (Official Journal Vol. B. 858) titled "Definition of monthly compensation of conscientious objectors".

⁸ Replies of Greece to the list of issues, (E/C.12/GRC/Q/2/Add.1), 6 August 2015, para. 54. Available at: <http://www.undocs.org/E/C.12/GRC/Q/2/Add.1>

⁹ UN Committee on Economic, Social and Cultural Rights, Concluding observations on the second periodic report of Greece, (E/C.12/GRC/CO/2), 27 October 2015, paras. 19-20.

Available at: <http://www.undocs.org/E/C.12/GRC/CO/2>

¹⁰ See for example: "Fiscal Crisis Drove Greece's Rents Down, Rebound Spikes Them", *The National Herald*, 25 February 2020.

Available at:

https://www.thenationalherald.com/greece_economy/arthro/fiscal_crisis_drove_greece_s_rents_down_rebound_spikes_them-256859/

Sotiris Sideris, "The Rent Is Too Damn High. A market that is controlled but not regulated will not serve those who are unable to pay.", *Athens Live*, 29 January 2020. Available at: <https://medium.com/athenslivegr>

¹¹ See for example the relevant page of the Urban Rail Transport S.A. (in Greek):

<http://www.stasy.gr/index.php?id=74>

¹² See the response of the Minister of National Defence of the 9 March 2011, to the report No 3444/18-02-2011 of MP Dritsas concerning a relevant letter of the Association of Greek Conscientious Objectors.

Available in Greek in: https://www.hellenicparliament.gr/Koinovouleftikos-Elenchos/Mesa-Koinovouleutikou-Elegxou?pcm_id=4b306b9a-03e9-43ed-a33d-0557f26162aa

¹³ Law 4361/2016, Article 12, para. 9.

¹⁴ UN Human Rights Committee, Concluding observations on the sixth periodic report of the Russian Federation, ([CCPR/C/RUS/CO/6](#)), 24 November 2009, para. 23.

Available at <http://undocs.org/CCPR/C/RUS/CO/6>

¹⁵ UN Human Rights Committee, Concluding observations on the second periodic report of Greece, ([CCPR/C/GRC/CO/2](#)), 3 December 2015, para. 38.

Available at <http://undocs.org/CCPR/C/GRC/CO/2>

¹⁶ GNCHR, Recommendations regarding Conscientious Objectors and the Scheme of Alternative Civil-Social Service, 10.6.2004, recommendation h.

Available at: http://www.nchr.gr/images/English_Site/ANTIRRISIES/Conscientious_of_objectors_2004.pdf

¹⁷ Submission of the GNCHR to the quadrennial analytical report 2017 on conscientious objection to military service of the UN High Commissioner of Human Rights, p. 10. Available at: <https://www.nchr.gr/en/decisions-positions/68-conscientious-objectors/324-submission-of-the-gnchr-to-the-quadrennial-analytical-report-2017-on-conscientious-objection-to-military-service-of-the-un-high-commissioner-of-human-rights.html>

¹⁸ UN Human Rights Committee, Concluding observations on the second periodic report of Greece, ([CCPR/C/GRC/CO/2](#)), 3 December 2015, paras. 37-38

¹⁹ UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2016](#), 31 October 2016. UN Special Rapporteur on freedom of religion or belief, Communication [GRC 3/2019](#), 11 July 2019.

²⁰ Joint Decision of the Deputy Minister of Finance and the Deputy Minister of National Defence Φ.421.4/7/228631/Σ.6400/24-09-2019 (Official Journal vol. B 3697/4-10-2019).

²¹ Joint Decision of the Alternate Minister of Finance and the Deputy Minister of National Defence Φ.421.4/1/322490/Σ.

1493/26-02-2021 (Official Journal vol. B 853/4-3-2021).

²² OHCHR, Approaches and challenges with regard to application procedures for obtaining the status of conscientious objector to military service in accordance with human rights standards, ([A/HRC/41/23](#)), 24 May 2019, para. 60, criterion (I).

²³ European Parliament, Resolution on respect for human rights in the European Community (annual report of the European Parliament), (A3-0025/93), 11 March 1993, para. 51, as it has been published in the Official Journal of the European Communities C 115, 26 April 1993, [Minutes of the sitting of Thursday, 11 March 1993](#), page 183. Resolution on conscientious objection in the Member States of the Community, (A3-0411/93), 19 January 1994, para. 9, as it has been published in the Official Journal of the European Communities C 44, 14 February 1994, [Minutes of the sitting of Wednesday, 19 January 1994](#), page 105.

²⁴ Resolution on the situation concerning basic rights in the European Union (2001) (2001/2014(INI)), para 42, text adopted on 15 January 2003, available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P5-TA-2003-0012+0+DOC+XML+V0//EN>

²⁵ UN Human Rights Committee, Concluding observations on the second periodic report of Greece, ([CCPR/C/GRC/CO/2](#)), 3 December 2015, para. 38.

²⁶ [in Greek] Συνήγορος του Πολίτη, «Ο Συνήγορος του Πολίτη για την άρση του προστίμου ανυποταξίας», Δελτίο Τύπου 2/2/2016. Διαθέσιμο στο: <https://www.synigoros.gr/?i=human-rights.el.danews.345630>
Συνήγορος του Πολίτη, Ειδική Έκθεση «Ο θεσμός της εναλλακτικής πολιτικής-κοινωνικής υπηρεσίας. Προτάσεις αναμόρφωσης.» (1999), κεφ. 2. «Η διάρκεια της Ε.Π.Κ.Υ.». Διαθέσιμη στο https://www.synigoros.gr/?i=human-rights.el.enallaktiki_upiresia.38783

²⁷ Greek National Commission for Human Rights, Submission to the quadrennial analytical report 2017 on conscientious objection to military service of the UN High Commissioner of Human Rights (February 2017), pp. 10-11.

<http://www.nchr.gr/images/pdf/apofaseis/antirisis/Suneidisis/Submission%20of%20the%20GNCHR%20to%20the%20quadrennial%20analytical%20report%202017.pdf>

GNCHR [submission](#) regarding the continuous violation of Article 1§2 of the European Social Charter in the case of alternative service for conscientious objectors in Greece (11.11.2016), chapter. «Multiple discriminations in the case of conscientious objectors who are above 35 years of age», p. 5-6.

²⁸ Amnesty International, Greece: Observations on the right to conscientious objection - “serious violations of Greece’s obligations towards conscientious objectors remain unaddressed in proposed bill despite some positive steps,” 20 March 2019, Index number: EUR 25/0088/2019, p. 3, Chapter 4. “Buying off alternative service.” Available at: <https://www.amnesty.org/en/documents/eur25/0088/2019/en/>

²⁹ UN Special Rapporteur on freedom of religion or belief, Communication [GRC 3/2019](#), 11 July 2019, p. 3.

³⁰ UN Human Rights Committee, Concluding observations on the second periodic report of Greece, ([CCPR/C/GRC/CO/2](#)), 3 December 2015, paras. 37-38.

³¹ ECtHR, [CASE OF PAPAVALAKIS v. GREECE](#), Application No 66899/14, 15.9.2016

³² Article 23 para. 2 of Law 4609/2019 (in Greek).

³³ OHCHR, Approaches and challenges with regard to application procedures for obtaining the status of conscientious objector to military service in accordance with human rights standards, ([A/HRC/41/23](#)), 24 May 2019, para. 41.

³⁴ UN Special Rapporteur on freedom of religion or belief, Communication [GRC 3/2019](#), 11 July 2019, pp. 2 and 5.

³⁵ (in Greek) ΕΕΔΑ, Παρατηρήσεις επί των άρθρων 18, 21 και 22 του Σχεδίου Νόμου του Υπουργείου Εθνικής Άμυνας "Ρυθμίσεις Μέριμνας Προσωπικού Ενόπλων Δυνάμεων, 19 Μαρτίου 2019, σελ. 6. Available at: https://www.nchr.gr/images/pdf/apofaseis/antirisis/Suneidisis/EEDA_paratiriseis_SxN_Antirrisies%20suneidisis_2019.pdf

³⁶ Amnesty International, Obligation towards Conscientious Objectors Remain Unaddressed in Proposed Bill despite Some Positive Steps, 20 March 2019, Index number: EUR 25/0088/2019, pp. 2-3, available at: <https://www.amnesty.org/en/documents/eur25/0088/2019/en/>.

³⁷ Joint Submission by the European Bureau for Conscientious Objection (EBCO) and the Association of Greek Conscientious Objection (AGCO) to the UN Universal Periodic Review 39th session of the UPR Working Group, Oct-Nov 2021, 25 March 2021. Available at: <https://ebco-beoc.org/node/492>

³⁸ See for example: Submission by War Resisters' International (WRI) to the UN Universal Periodic Review 39th session of the UPR Working Group, Oct-Nov 2021, 25 March 2021, p. 2-3. Available at: https://wri-irg.org/sites/default/files/public_files/2021-04/wri-upr_submission-greece-25-03-2021.pdf

³⁹ ECtHR, [CASE OF PAPAVALAKIS v. GREECE](#), Application No 66899/14, 15.9.2016, para. 65.

⁴⁰ UN Human Rights Committee, Concluding observations on the second periodic report of Greece, ([CCPR/C/GRC/CO/2](#)), 3 December 2015, para. 37.

⁴¹ UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2016](#), 31 October 2016, p. 2. UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2019](#), 11 July 2019, p. 5.

⁴² OHCHR, Approaches and challenges with regard to application procedures for obtaining the status of conscientious objector to military service in accordance with human rights standards, ([A/HRC/41/23](#)), 24 May 2019, para. 29.

⁴³ [in Greek] Συνήγορος του Πολίτη, Ειδική Έκθεση 2013, «Καταπολέμηση των διακρίσεων», Κεφ. «Διακρίσεις λόγω

θησκευτικών ή άλλων πεποιθήσεων, παράγραφος «Εξέταση αιτήσεων αναγνώρισης αντιρρησιών συνείδησης», σελ. 110. Available at <https://www.synigoros.gr/resources/docs/10-diakriseis.pdf>

⁴⁴ ECtHR, [CASE OF PAPAVALAKIS v. GREECE](#), Application No 66899/14, 15.9.2016, para. 62.

⁴⁵ UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2016](#), 31 October 2016, pp. 2-3.

⁴⁶ Council of State, Decision A1045/2018.

⁴⁷ ECtHR, [CASE OF PAPAVALAKIS v. GREECE](#), Application No 66899/14, 15.9.2016.

⁴⁸ See document [DH-DD\(2018\)930](#)

⁴⁹ https://www.efsyn.gr/ellada/koinonia/186788_meteores-diataxeis-gia-antirrisies-syneidisis

⁵⁰ See for example, Amnesty International, “Greece: Stop arbitrary prosecutions and arrests of conscientious objectors”, 4 November 2013, Index number: EUR 25/017/2013.

<https://www.amnesty.org/en/documents/eur25/017/2013/en/>

Amnesty International, Annual Report 2017/2018, Greece. <https://www.amnesty.org/en/countries/europe-and-central-asia/greece/report-greece/>

⁵¹ Law 3421/2005, article 65, para. 1.

⁵² UN Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, CCPR/C/GRC/CO/2, paras. 37-38. Available at <http://undocs.org/CCPR/C/GRC/CO/2>

⁵³ UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2016](#), 31 October 2016. UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2019](#), 11 July 2019.

⁵⁴ Working Group on Arbitrary Detention, Opinion 16/2008 (Turkey), para. 39.

Available at <http://undocs.org/A/HRC/10/21/Add.1> (p. 139). And previously: Opinion No. 24/2003 (Israel), para. 30-31. Available at <http://undocs.org/E/CN.4/2005/6/Add.1> (p. 18)

Opinion No. 36/1999 (Turkey) para. 10. Available at <http://undocs.org/E/Cn.4/2001/14/add.1> (p. 53)

⁵⁵ United Nations, Economic and Social Council, Commission on Human Rights, Report of the Working Group on Arbitrary Detention “Civil and political rights, including the question of torture and detention”, ([E/CN.4/2000/4](#)), (Recommendation 2: detention of conscientious objectors), paras. 91-94.

⁵⁶ Law 4361/2016, Article 12, para. 8.

⁵⁷ Amnesty International, “Greece: conscientious objectors must not be penalized”, 05/06/2001, AI Index EUR 25/002/2001. Available at: <https://www.amnesty.org/en/documents/EUR25/002/2001/en/>

Amnesty International, “GREECE Conscientious objector Lazaros Petromelidis at risk of imprisonment”, (31/3/2002) April 2002, AI Index: EUR 25/007/2002.

Available at: <https://www.amnesty.org/en/documents/eur25/007/2002/en/>

Amnesty International, “Greece: Conscientious objector faces imprisonment”, 16/04/2002, AI Index EUR 25/008/2002.

Available at: <https://www.amnesty.org/download/Documents/116000/eur250082002en.pdf>

Amnesty International, “Greece: To be in the army or choosing not to be: The continuous harassment of conscientious objectors”, 31/5/2003, AI Index: EUR 25/003/2003.

Available at: <https://www.amnesty.org/en/documents/eur25/003/2003/en/>

Amnesty International, “Greece: Petromelidis's Promethean trials”, 13 December 2004, AI Index: EUR 25/015/2004.

Available at: <https://www.amnesty.org/download/Documents/96000/eur250152004en.pdf>

Amnesty International, “Greece: Punished for their beliefs: how conscientious objectors continue to be deprived of their rights”, 11/5/2005, AI Index: EUR 25/007/2005.

Available at: <https://www.amnesty.org/en/documents/eur25/007/2005/en/>

Amnesty International, “Greece: Lazaros Petromelidis repeatedly convicted for his beliefs”, 20/6/2008, AI Index: EUR 25/003/2008. Available at: <https://www.amnesty.org/en/documents/EUR25/003/2008/en/>

Amnesty International, “Greece: Stop arbitrary prosecutions and arrests of conscientious objectors”, 4/11/2013, AI Index: EUR 25/017/2013. Available at: <https://www.amnesty.org/en/documents/eur25/017/2013/en/>