

FINLAND: Amnesty International adopts Finnish conscientious objectors as prisoners of conscience and calls for their immediate release

Amnesty International is concerned that the length of alternative service of 395 days for conscientious objectors in Finland is more than double the length of 180 days of military service which applies to over 50 per cent of army recruits since the new Military Service Law came into force in 1998. Amnesty International considers this excessive length of alternative service as discriminatory and a form of punishment for persons who choose alternative service on the basis of their conscientiously-held beliefs. The organization has therefore adopted as prisoners of conscience eight Finnish conscientious objectors who are currently imprisoned for refusing to carry out alternative service. Furthermore, Amnesty International will adopt as prisoners of conscience any other conscientious objectors in Finland detained for refusing to carry out alternative civilian service **while the length of alternative civilian service is considered punitive by the organization.**

Since the introduction of the bill in Parliament in 1997 Amnesty International has raised its concern about the effect a reduced military service time would have on conscientious objectors whose length of service would remain unchanged. On 12 October 1999 the Minister of Labour, Ms Mönkäre, informed Amnesty International that the current civilian service system in Finland is being reviewed by Professor Jukka Kekkonen and that the review would take the issue of human rights into account and include a comparative study of systems in other countries. In its reply of 2 November to Ms Mönkäre's letter Amnesty International welcomed such a decision. However, the report which was recently published reportedly recommends that the length of alternative civilian service be reduced from approximately 13 months to 10 or 11 months.

In its letter of 2 November 1999 to the Minister of Labour Amnesty International wrote that as long as the organization considers the length of alternative service in Finland as punitive, it will adopt anyone who is imprisoned for refusing to carry out alternative service as a prisoner of conscience. In its letter Amnesty International also informed the government that the organization had adopted as prisoners of conscience:

- < Tom André **Kettunen**, aged 20, a student who has been imprisoned since 21 September 1999 at Turun lääninvankila/avo-osasto in Turku. He was sentenced to 197 days' imprisonment by the Loviisa District Court on 8 June 1999 for a "non-military service crime". Mr Kettunen applied for alternative service on 1 October 1997 and was due to start his service on 12 October 1998 but was granted postponement. On 22 February 1999, under the new Military Service Law which rendered alternative civilian service punitive in length for conscientious objectors, Mr Kettunen sent a written statement refusing alternative civilian service on grounds of its punitive character.
- < Otso **Kivekäs**, aged 20, a student who has been imprisoned since 19 October 1999 at Helsingin lääninvankila/Helsingin työsiirtola. He was sentenced to 197 days' imprisonment by

Helsinki District Court on 1 June 1999 on charges of a "non-military service crime". Mr Kivekäs applied for alternative service in the autumn of 1997. His refusal to carry out alternative service on 27 June 1998 was influenced by the cut in service time for military recruits under the new law.

- < Nakke **Leppänen**, aged 19, a student who has been imprisoned since 11 October 1999 at Helsingin läänvankila/Helsingin työsiirtola. He was sentenced to 197 days' imprisonment by the Loviisa District Court on 7 June 1999 on charges of a "non-military service crime". Mr Leppänen applied for alternative service on 22 October 1997. He was due to start his service on 29 March 1999 but sent a written statement of refusal prior to that date. Part of his reason for refusing was "the unreasonably long service time" according to his statement to Amnesty International.
- < Otto **Salin**, aged 19, a student who has been imprisoned since 4 October 1999 in Helsingin läänvankila/Helsingin työsiirtola. He was sentenced to 197 days' imprisonment. Like the others above he was convicted on charges of a "non-military service crime". Mr Salin applied for alternative service on 29 October 1998 but refused it later on, after informing the authorities in writing of his decision - partly due to the excessive length of service.
- < Jukka Mikael **Johansson**, aged 20, a student who has been imprisoned since 13 July 1999 in Suomenlinnan työsiirtola Prison was sentenced to 197 days' imprisonment. His conviction of 25 May 1999 by the court at Kouvola Karajaoikeus was based on charges of a "non-military service crime". Mr Johansson applied for alternative service on 13 January 1998, immediately after starting military service. However, when he was ordered to begin his alternative service more than one year later (22 February 1999) he sent a written refusal. The service time for recruits had by then been shortened.
- < Kim **Åke**, aged 20, has been imprisoned since 30 June 1999 at Helsingin läänvankila/Helsingin työsiirtola. He was charged in June 1998 with a "non-military service crime" and sentenced to 197 days' imprisonment on 25 November 1998 by the Helsinki District Court. Kim Åke appealed against his sentence on 30 June 1999 at the Helsinki Appeal Court which upheld his original sentence. Mr Åke applied for alternative service in November 1997. He was called up on 25 May 1998 but refused to follow the order partly on the basis that he found the length discriminatory vis-à-vis military service.

In December 1999 Amnesty International adopted two further conscientious objectors in Finland as prisoners of conscience. They are:

- < Eetu **Huisman**, aged 20, a student who has been imprisoned since 10 December 1999. Charged with the "non-military service crime" he was tried at the District Court of Loviisa. Mr Huisman is serving a prison sentence of 197 days and is being held at the work camp of Helsinki. Although being a total objector Amnesty International has adopted Eetu Huisman as a prisoner of conscience as it considers the current system in Finland does not offer adequate and fair alternative service conditions due to its discriminatory and punitive length. In his statement Eetu Huisman wrote that his decision to refuse alternative service has been influenced *inter alia* by the punitive length.
- < Tuomas **Heikkilä**, aged 22, a student who has been imprisoned since 16 August 1999. He was sentenced on 4 February 1999 by Helsingin Karajaoikeus, Os. 4/11 Court to 197 days' imprisonment on charges of a "non-military service crime". Tuomas Heikkilä appealed against

the verdict on 8 March 1999 but the sentence was upheld by Helsingin Hovioikeus Court. According to his written statement to Amnesty International one of the reasons for his refusal to perform alternative service is the "unreasonable length of service compared to military service".

All these conscientious objectors named above are currently serving a prison sentence of 197 days after being convicted for a "non-military service crime". They have all given the punitive length of alternative service as one of their reasons for refusing to perform alternative service.

Amnesty International believes that the length of alternative civilian service should not be such as to constitute a punishment for a person's conscientiously-held conviction. The Recommendation No. R (87) 8 of the Committee of Ministers to Member States of the Council of Europe emphasizes that alternative service "shall not be of a punitive nature. Its duration shall, in comparison to that of military service, remain within reasonable limits". A European Parliament Resolution (A3-0025/92, paragraph 51) stresses that "an alternative civilian service should be provided of the same length as military service, so that it is not seen as a sanction or deterrent".

Amnesty International considers the length of alternative service in Finland to be a punishment for the conscientious objector's non-violent expression of his beliefs. Therefore, in the organization's opinion, this service does not provide an acceptable alternative to military service. Amnesty International consequently seeks the immediate release of the above-mentioned prisoners and any other conscientious objectors currently imprisoned for refusing to carry out alternative service.