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UA 163/08 **Fear for safety / ill - treatment / legal concern**

Turkey **Mehmet Bal (m), aged 33, conscientious objector**

Conscientious objector Mehmet Bal was arrested on 8 June in Istanbul for evading military service. He was held in military custody in Besiktas, before being transferred to Hasdal Military Prison in Istanbul on 9 June, where he is currently held. In both places of detention he says he was ill-treated. Mehmet Bal is currently at risk of further ill-treatment at the hands of the military.

Whilst in custody in Besiktas, Mehmet Bal was allegedly subjected to physical abuse from duty officers that included being punched in the head, face and chest. Mehmet Bal was also denied water and access to a toilet for several hours. On 9 June Mehmet Bal was moved to Hasdal Military Prison where he is being detained before being sent back to his army unit in Adana in the south of Turkey, to appear before a military court.

Mehmet Bal's lawyers told Amnesty International that during his first day at Hasdal Military Prison a senior military officer took Mehmet Bal into a prison ward and ordered other prisoners to "do what is necessary to remind him of prison rules". Five or six prisoners kicked Mehmet Bal and beat his face and body with a plank of wood. After the attack, Mehmet Bal was taken to Gumussuyu Military Hospital for treatment. He was then sent back to Hasdal Military Prison on 10 June, reportedly without having fully recovered from his injuries.

Fifteen-month military service is compulsory for men aged between 19-40, in Turkey. The right to conscientious objection is not legally recognized, and there is no alternative civilian service for conscientious objectors. Whilst carrying out his military service, Mehmet Bal became a conscientious objector in October 2002 when, after nine months of service, he declared publicly that: "I refuse to carry out any action against my conscience and will, forced on me by persons or institutions may they be civilian or military, local or universal."

Following this public declaration, Mehmet Bal left his post and was arrested in October 2002, and again in January 2003. In January 2003 Mehmet Bal was released on a three-month medical leave of absence, at the end of which he was ordered to report to his unit in Adana. Insisting on his status as a conscientious objector Mehmet Bal refused to report to the unit and has been living in Istanbul until his arrest on 8 June 2008. Amnesty International will adopt Mehmet Bal as a prisoner of conscience, if he is convicted and imprisoned for his conscientious objection to military service.

BACKGROUND INFORMATION

International human rights standards recognize the right to conscientious objection. In a recommendation to the Council of Europe, the Committee of Ministers stated that "Anyone liable to conscription for military service who, for compelling reasons of conscience, refuses to be involved in the use of arms, shall have the right to be released from the obligation to perform such service... Such persons may be liable to perform alternative service." In recent years there have been a small number of conscientious objectors who have publicly stated their refusal to carry out military service in Turkey. They usually face criminal prosecution, leading to prison sentences of up to three years. On release, they often receive new call-up papers, and the process is repeated.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in <Turkish> or your own language:

- urging the Turkish authorities to ensure that Mehmet Bal is not subjected to torture or other ill-treatment;
- calling for assurances that he will be protected from attacks or intimidation by other prisoners;
- calling on the Turkish authorities to ensure that Mehmet Bal has access to an independent medical examination and receives appropriate medical treatment;
- calling for a prompt, impartial and effective investigation into claims that he was ill-treated by military personnel;
- calling for a prompt, impartial and effective investigation into claims that he was ill-treated by imprisoned soldiers on the orders of a senior military officer at Hasdal Military Prison;
- calling for Mehmet Bal's immediate and unconditional release;
- urging the authorities to stop immediately the prosecutions of conscientious objectors and to introduce an alternative civilian service for conscientious objectors, in line with European and international standards and recommendations.

APPEALS TO:

Ministry of Interior

Besir Atalay, Minister of Interior
Iciseri Bakanligi, 06644 Ankara, Turkey
Email: besir.atalay@icisleri.gov.tr
Fax: +90 312 418 7696
Salutation: Dear Minister

Ministry of National Defence

Vecdi Gonul, Minister of National Defence
Milli Savunma Bakanligi, 06100 Ankara, Turkey
Tel: +90 312 425 4596
Fax: +90 312 418 4737
Email: info@msb.gov.tr
Salutation: Dear Minister

Hasdal Military Prison

Hasdal Askeri Cezaevi Komutani, Military Prison Commander
Hasdal Sakarya Kislasi
Kemberburgaz Yolu, 52. Tumen Karsisi, Istanbul, Turkey
Tel: +90 212 321 1055
Fax: +90 212 321 1056
Salutation: Dear Commander

COPIES TO:

Parliamentary Commission on Human Rights

Mehmet Zafer Uskul, Commission Chairperson
TBMM Insan Haklarini Inceleme Komisyonu
Bakanliklar, 06543 Ankara, Turkey
Tel: +90 312 420 5433
Fax: +90 312 420 53 94
Email: inshkkom@tbmm.gov.tr
Salutation: Dear Mr. Uskul

and to diplomatic representatives of Turkey accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 July 2008.