

PUBLIC

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Further Information on UA 163/08 (EUR 44/009/2008, 11 June 2008) Fear for safety/ ill-treatment/ legal concern

**TURKEY**

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

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Conscientious objector Mehmet Bal was transferred to a military prison in the southern city of Adana on 13 June, to stand trial before a military court. Amnesty International considers him to be a prisoner of conscience, detained solely for refusing to serve in the armed forces.

Mehmet Bal is being tried for three charges of persistent insubordination and one charge of desertion. The charge of persistent insubordination carries a penalty of imprisonment from three months to two years, and the charge of desertion carries a penalty of imprisonment from one year to three years. Mehmet Bal's next hearing is scheduled for 20 June.

Mehmet Bal was arrested on 8 June in Istanbul for evading military service, after completing nine of Turkey's compulsory fifteen months of military service. He was held in military custody in Besiktas, before being transferred to Hasdal Military Prison in Istanbul on 9 June, and on 13 June to Adana 6<sup>th</sup> Corps Command Military Prison, where he is currently held. Whilst in custody in Besiktas, Mehmet Bal was allegedly physically abused by guards, including by 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. 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". Several prisoners allegedly 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.

### **BACKGROUND INFORMATION**

Amnesty International considers a conscientious objector to be any person who, for reasons of conscience or profound conviction, refuses to perform service in the armed forces or any other direct or indirect participation in wars or armed conflicts. This can include refusal to participate in a war because one disagrees with its aims or the manner in which it is being waged, even if one does not oppose taking part in all wars. Furthermore Amnesty International considers a person to be a prisoner of conscience when they are detained or imprisoned solely because they have been denied or refused their right to register an objection or to perform a genuinely civilian alternative service. They would also be prisoners of conscience if they are imprisoned for leaving the armed forces without authorization for reasons of conscience, if they have taken reasonable steps to secure release from military obligations.

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."

The right to conscientious objection is not legally recognized in Turkey, and there is no alternative civilian service for conscientious objectors. 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:**

- calling on the authorities to halt all legal proceedings against Mehmet Bal, and release him immediately and unconditionally;
- 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;
- while Mehmet Bal is in detention, calling on the authorities to ensure that he is not subjected to torture or other ill-treatment, and that he has access to all necessary medical treatment;
- calling for prompt, impartial and effective investigations into claims that he was ill-treated by military personnel; and allegations that he was ill-treated by imprisoned soldiers on the orders of a senior military officer at Hasdal Military Prison.

**APPEALS TO:**

**Ministry of Interior**

Besir Atalay, Minister of Interior  
Icislari Bakanligi, 06644 Ankara, Turkey  
Email: [besir.atalay@icisleri.gov.tr](mailto:besir.atalay@icisleri.gov.tr)  
Fax: +90 312 418 1795  
Salutation: Dear Minister

**Ministry of National Defence**

Vecdi Gonul, Minister of National Defence  
Milli Savunma Bakanligi, 06100 Ankara, Turkey  
Fax: +90 312 418 4737  
Email: [info@msb.gov.tr](mailto:info@msb.gov.tr)  
Salutation: Dear Minister

**COPIES TO:**

**Parliamentary Commission on Human Rights**

Mehmet Zafer Uskul, Commission Chairperson  
TBMM İnsan Haklarını İnceleme Komisyonu  
Bakanlıklar, 06543 Ankara, Turkey  
Fax: +90 312 420 53 94  
Email: [inshkkom@tmm.gov.tr](mailto:inshkkom@tmm.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 29 July 2008.