

EXTERNAL

AI Index: EUR 44/09/97

3 February 1997

Further information on EXTRA 162/96 (EUR 44/164/96, 23 October 1996) and follow-ups (EUR 44/179/96, 27 November; EUR 44/02/97, 7 January 1997) - Prisoner of conscience

TURKEYOsman Murat Ülke, conscientious objector

On 28 January 1997 the Military Court of the General Staff in Ankara sentenced Osman Murat Ülke to six months' imprisonment for "alienating the public from the institution of military service" by publicly declaring his conscientious objection to military service and burning his call-up papers in September 1995.

In his defence speech he stated that "having the right to life also means having the responsibility not to cause death. Killing a person is the most obvious way of violating the right to life. Therefore, conscientious objection is not only a right for me, but rather it is my responsibility". He was then asked what had happened since the last hearing and reported that he had not returned to the 9th Gendarmerie Training Unit in Bileçik, as ordered by the military court in Eski_ehir on 27 December. When called a "deserter" by the judge, Osman Murat Ülke replied, "I am not a deserter, I am a conscientious objector".

At the end of the hearing before the sentence was handed down, Osman Murat Ülke, who had been released at a previous trial hearing, was detained again by the gendarmerie and later taken to Mamak Military Prison where he could be visited by his lawyers the following day.

The trial at the Military Court in Eski_ehir for "continuing disobedience" resumed on 30 January.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or in your own language:

- expressing concern at the re-detention of Osman Murat Ülke;
- calling for his immediate and unconditional release as a prisoner of conscience, sentenced to six months' imprisonment and held because of his refusal to perform military service due to his conscientious objection to any form of military service;
- reiterating appeals for the provision of alternative civilian service for conscientious objectors, in line with resolutions and recommendations by the United Nations and the Council of Europe (see update of 27 November 1996).

APPEALS TO:

1. Prosecutor at Military Court of General Staff:

Ba_savc_
Genelkurmay Askeri Mahkemesi
Ankara, Turkey

Telegrams: Genelkurmay Askeri Mahkemesi Bassavcısı, Ankara, Turkey

Faxes: +90 3 12 41 85 341

Salutation: Dear Prosecutor

3. Minister of Justice:

Mr Sevket Kazan
Adalet Bakanl____

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: +90 312 425 4066; 417 3954

Salutation: Dear Minister

3. Minister of Defence:

Mr Turhan Tayan

Ministry of Defence

Milli Savunma Bakanl____

06100 Ankara, Turkey

Telegrams: Defence Ministry, Ankara, Turkey

Salutation: Dear Minister

4. Chief of the Turkish General Staff:

General _smail Hakk_ Karaday_

Bakanl_klar

Ankara, Turkey

Telegrams: General Karaday_, Bakanliklar, Ankara, Turkey

Faxes: +90 312 418 1795

Salutation: Dear General

COPIES TO:

State Minister with responsibility for Human Rights:

Mr Lütfü Esengün

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Faxes: +90 312 417 0476

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 5 March 1997.