

EXTERNAL

AI Index: EUR 44/164/96

EXTRA 162/96

Prisoner of conscience / Health concern

23 October 1996

TURKEYOsman Murat Ülke, conscientious objector

Amnesty International is concerned for the health of Osman Murat Ülke, a conscientious objector to military service who is currently on hunger-strike at Mamak Military Prison in Istanbul. The organization believes that he is being held in violation of Article 9 of the European Convention on Human Rights, safeguarding the right to freedom of thought and conscience, and as such should be immediately and unconditionally released.

Osman Murat Ülke, chairperson of Izmir War Resisters' Association (ISKD), was detained in Izmir on 7 October 1996, more than one year after he publicly burned his call-up papers and declared in a press conference that as a pacifist he would not perform any military service. On 8 October Osman Murat Ülke was formally arrested on written orders from the Military Court of General Staff.

On 11 October he was transferred to Ankara for interrogation by the military prosecutor and initially held at the civilian Central Closed Prison together with political prisoners.

On 14 October Osman Murat Ülke was transferred to Mamak Military Prison where he refused to put on a military uniform and to obey military orders. As punishment for insubordination he was put in solitary confinement for five days, which reportedly meant being held in a cell measuring no more than two square metres, without light or a bed. In protest he went on hunger-strike on 15 October which he is continuing although the solitary confinement ended on 22 October. He is now being held in isolation which means that there is light in his cell and a bed. However, he may again be sentenced to periods of solitary confinement, if he again refuses to wear a uniform.

BACKGROUND INFORMATION

Turkey's system of conscription for military service makes no provision for conscientious objection. There are large numbers of draft evaders in Turkey, avoiding conscription into the war in the south-east. In contrast Osman Murat Ülke is emphatic that he is not a draft evader but a resister.

Osman Murat Ülke, together with three other members of the Istanbul War Resisters' Association (now closed down) had previously been prosecuted by the Military Court of General Staff in 1995 for violating Article 155 of the Turkish Penal Code - "*alienating the people from military service*". His three fellow-defendants were found guilty and sentenced, but he himself was acquitted. He now faces renewed prosecution on the same charge.

In a press conference he gave on 1 September 1995 Osman Murat Ülke stated, "*I am not a draft evader, but a conscientious objector. I neither think to escape nor to go to conscription. I have no reason to escape from conscription because I am in favour of people using their right not to be conscripted without having to hide. I am not a soldier and I never will be... I will never, ever, conduct military service in any way.*"

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

- calling for the immediate and unconditional release of Osman Murat Ülke as a prisoner of conscience, held at Mamak Military Prison because of his conscientious objection to military service;

- noting that Osman Murat Ülke has been on hunger-strike in protest at his prison conditions and urging that he be granted all medical attention he may require.

APPEALS TO:

1. Minister of Defence:

Turhan Tayan
Ministry of Defence
Milli Savunma Bakanl____
06100 Ankara, Turkey

Telegrams: Defence Ministry, Ankara, Turkey

Salutation: Dear Minister

2. Prosecutor at Military Court of General Staff:

Ba_savc_
Genelkurmay Askeri Mahkemesi
Ankara, Turkey

Telegrams: Genelkurmay Askeri Mahkemesi Bassavcisi, Ankara, Turkey

Faxes: +90 312 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

COPIES TO:

State Minister with responsibility for Human Rights:

Mr Lütfü Esengül
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 25 November 1996.