

URGENT ACTION

CONSCIENTIOUS OBJECTOR IMPRISONED

Conscientious objector Haluk Selam Tufanlı has been imprisoned for 10 days on 4 December after the military court in Lefkoşa/Nicosia (territory of northern Cyprus) found him guilty of 'noncompliance with the mobilization call' as a result of his refusal to take part in a one-day military training in 2011.

Haluk Selam Tufanlı declared his conscientious objection on 8 December 2011, a month after he refused to attend the annual mobilization call on 2 November 2011. He had already carried out his compulsory military service 'under duress' in 2009-10. Since declaring his conscientious objection, he has refused to present himself every year for the mobilization call. Military court proceedings for his refusal to take part in the military training in 2012, 2013 and 2014 have not yet begun.

In declaring his conscientious objection, Haluk Selam Tufanlı said: "I was forced to carry out military service in 2009-10. For 15 months, my life was ruled by individuals whose word is more valid than my own. During my military service that I began at the age of 27, my friends I had previously ate and drank with were presented as my enemies. A year after I completed military service, I was ordered to participate in military training as part of a call for mobilization. I was told that until they declare the contrary, I am a soldier. As an anti-militarist, anti-war individual, my conscience refuses to participate in military mobilization, in preparation for war."

Amnesty International considers Haluk Selam Tufanlı to be a prisoner of conscience imprisoned solely on the basis of him exercising his right to conscientious objection to compulsory military service and calls for his immediate and unconditional release.

Please write immediately in Turkish or your own language:

- Calling on the authorities to immediately and unconditionally release Haluk Selam Tufanlı as he is considered to be a prisoner of conscience, imprisoned for exercising his right to conscientious objection;
- Urging the authorities to refrain from prosecuting him for refusing to take part in future calls for mobilization;
- Calling on them for the introduction of legislation recognizing the right to conscientious objection to compulsory military service.

PLEASE SEND APPEALS BEFORE 15 JANUARY 2015 TO:

President of territory of northern Cyprus

Derviş Eroğlu

Kuzey Kıbrıs Türk Cumhuriyeti

Cumhurbaşkanlığı

Şehit Selahattin Sonat Sok.

Lefkoşa- Kuzey Kıbrıs Türk Cumhuriyeti

Fax: +90 392 227 22 52

Email: info@kktcb.org

Salutation: Dear President

Chief Prosecutor

Aşkan İlgen

Başsavcı

Fax: + 90 392 73646

Salutation: Dear Aşkan İlgen

And copies to:

President of Turkey

Recep Tayyip Erdoğan

T.C. Cumhurbaşkanlığı Genel

Sekreterliği

06689 Çankaya

Ankara, Turkey

Fax: +90 312 470 13 24 (Secreteriat)

E-mail: cumhurbaşkanligi@tccb.gov.tr

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In its domestic law, the territory of northern Cyprus fails to recognize the right to conscientious objection or provide for a civilian alternative to military service. Conscientious objectors who have publicly stated their refusal to carry out military service have been subjected to criminal prosecution and imprisonment of up to one year for their refusal to perform military service (Art. 40 of the Law on military service.) Refusal to carry out an order is punishable between two to 10 years in prison, depending on the severity of the offence (art. 56 of the Law on military service). Following the completion of military service, all men up to the age of 40 are called up for a one-day military training every year. Refusing to perform this training is punishable with imprisonment.

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. Amnesty International considers a person to be a prisoner of conscience when they are detained or imprisoned solely because they have been denied their right to register an objection or to perform a genuinely civilian alternative service. They would also be prisoners of conscience if imprisoned for leaving the armed forces without authorization for reasons of conscience, if they have taken reasonable steps to secure release from military obligations.

The right to refuse military service for reasons of conscience is inherent in the notion of freedom of thought, conscience and religion as laid down in a number of international human rights instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights to which Turkey is a party, meaning it can be applied extraterritorially to the territory of northern Cyprus.

In 1995, in its Resolution 1998/77 the UN Commission for Human Rights has stated that the right to conscientious objection to military service is protected by Article 18 of the International Covenant on Civil and Political Rights (ICCPR, right to freedom of religion, conscience and belief). "The right of everyone to have conscientious objections to military service [constitutes] a legitimate exercise of the right to freedom of thought, conscience and religion, as laid down in Article 18 of the Universal Declaration of Human Rights and Article 18 of the ICCPR." In the resolution, the Committee also repeated its call on states to "provide for conscientious objectors various forms of alternative service which are compatible with the reasons for conscientious objection, of a non-combatant or civilian character, in the public interest and not of a punitive nature" and emphasized that states must "refrain from subjecting conscientious objectors to imprisonment and to repeated punishment for failure to perform military service," recalling "that no one shall be liable or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country."

Name: Haluk Selam Tufanlı

Gender m/f: m

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