



**European
Bureau for
Conscientious
Objection**



J O I N T P R E S S R E L E A S E

Turkish-Cypriots should urgently have the human right to conscientious objection to military service recognised by law

24 January 2024

The [European Bureau for Conscientious Objection](#) (EBCO), [War Resisters' International](#) (WRI), the [International Fellowship of Reconciliation](#) (IFOR), and [Connection e.V.](#) (Germany) **denounce the continuing prosecutions and imprisonments of conscientious objectors in the northern, Turkish-occupied, part of Cyprus** (the self-styled "Turkish Republic of North Cyprus"). They are clearly blatant human rights violations. **The right to conscientious objection to military service should be urgently recognised in line with the European and international law and human rights standards.**

The four organisations express their **deep disappointment about the imprisonment of Mustafa Hürben** on 23 January 2024. He is a prisoner of conscience, imprisoned solely for his genuine opposition to the compulsory military service. Moreover, the four organisations express their **grave concern about the new prosecution of Halil Karapaşaoğlu**, despite the fact that his conviction on the same charges in 2019 has already been referred to the European Court of Human Rights (see below). He is also a genuine conscientious objector, prosecuted solely for his beliefs; the four organisations call for the dropping of all charges against him.

EBCO Chief Editor **Derek Brett** and WRI Executive Committee member **Merve Arkun** attended as **international observers** at the trial of Mustafa Hürben on 18 January 2024 at the Security Forces Court (the Military Court) in the northern part of Nicosia. Even the prosecution did not challenge Hürben's right to conscientious objection, but as there is no legislative provision the Judge explained that the option of acquittal was not available. However, in view of the existing international jurisprudence outlined by Hürben's counsel, the Court was reluctant to impose any more than the most nominal penalty, namely a fine of 800TL (approximately €25). By law, if this was not paid within five days he would be imprisoned for three days. Hürben announced in Court that he had no intention of paying the fine, and asked if he could go directly to prison, but the due process had to be followed, and he was accordingly arrested yesterday (Tuesday 23rd January), symbolically in front of the Parliament building during a solidarity action organised by the Initiative for Conscientious Objection in Cyprus (Kıbrıs'ta Vicdani Ret).

Derek Brett will again attend as **international observer** at the trial of Halil Karapaşaoğlu, also at the Security Forces Court in the northern part of Nicosia on 1 February 2024 – next Thursday.

The four organisations call the Parliament to recognise that there is a right of conscientious objection to military service, as the judge did yesterday, but until there is legislation on procedures to implement it their hands are tied if any case of a refuser is brought before them. There were precedents in Colombia and Korea for the courts recognising the right before the politicians did.

The four organisations express their **solidarity with the Turkish-Cypriots conscientious objectors** as well as with the **Initiative for Conscientious Objection in Cyprus**, and remind that the following **three cases of conscientious objectors from the northern part of Cyprus are already pending against Türkiye before the European Court of Human Rights (ECtHR)** ¹:

1. **Halil Karapaşaoğlu v. Türkiye** (case number 40627/19). The case was accepted by the ECtHR on 10/01/2020. ² On 05/07/2019 Halil Karapaşaoğlu submitted an application to the ECtHR against Türkiye for violations of articles 5, 6 and 9 of the European Convention of Human Rights: (Art. 5) Right to liberty and security, (Art. 6) Right to a fair trial, (Art. 9) Freedom of thought, conscience and religion.
2. **Haluk Selam Tufanlı v. Türkiye** (case number 29367/15 ³). The application concerns the refusal of the applicant, a conscientious objector, to attend reservist service for military mobilisation training in 2011. On 02/06/2015 Haluk Selam Tufanlı submitted an application to the ECtHR against Türkiye for violations of articles 5 § 1, 4 and 5, 9 and 13 of the European Convention of Human Rights: (Art. 5) Right to liberty and security, (Art. 9) Freedom of thought, conscience and religion, (Art. 13) Right to an effective remedy.
3. **Murat Kanatlı v. Türkiye** (case number 18382/15 ⁴). The application concerns the refusal of the applicant, who is a conscientious objector and an activist, to attend reservist service when called to attend training for military mobilisation in 2009. On 06/04/2015 Murat Kanatlı submitted an application to the ECtHR against Türkiye for violations of articles 5 § 1, 4 and 5, 6, 9, 13 and 14 of the European Convention of Human Rights: (Art. 5) Right to liberty and security, (Art. 6) Right to a fair trial, (Art. 9) Freedom of thought, conscience and religion, (Art. 13) Right to an effective remedy, (Art. 14) Prohibition of discrimination.

The right to conscientious objection to military service is inherent in the right to freedom of thought, conscience and religion, guaranteed under Article 18 of the International Covenant on Civil and Political Rights (ICCPR), which is **non-derogable even in a time of public emergency**, as stated in Article 4(2) of ICCPR.

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The [European Bureau for Conscientious Objection \(EBCO\)](http://EuropeanBureauforConscientiousObjection.org) was founded in Brussels in 1979 as an umbrella structure for national associations of conscientious objectors in the European countries to promote the right to conscientious objection to preparations for, and participation in, war and any other type of military activity as a fundamental human right. EBCO enjoys participatory status with the Council of Europe since 1998 and is a member of its Conference of International Non-Governmental Organisations since 2005. EBCO is entitled to lodge collective complaints concerning the European Social Charter of the Council of Europe since 2021. EBCO provides expertise and legal opinions on behalf of the Directorate General of Human Rights and Legal Affairs of the Council of Europe. EBCO is involved in drawing up the annual report of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament on the application by the Member States of its resolutions on conscientious objection and civilian service, as determined in the "Bandrés Molet & Bindi Resolution" of 1994. EBCO is a full member of the European Youth Forum since 1995.

[War Resisters' International \(WRI\)](http://WarResistersInternational.org) was founded in London in 1921 as a global network of grassroots organisations, groups and individuals working together for a world without war. WRI remains committed to its founding declaration that 'War is a crime against humanity. I am therefore determined not to support any kind of war, and to strive for the removal of all causes of war'. Today WRI is a global pacifist and antimilitarist network with over 90 affiliated groups in 40 countries. WRI facilitates mutual support, by linking people together through publications, events and actions,

¹ EBCO Annual Report "Conscientious Objection to Military Service in Europe 2022/23". Available at: https://ebco-beoc.org/sites/ebco-beoc.org/files/attachments/2023-05-12-EBCO_Annual_Report_2022-23.pdf

² Available at: https://in-cyprus.com/echr-accepts-application-from-turkish-cypriot-conscientious-objector/?fbclid=IwAR0ybcXI50TaU8aXuKnat0EmnN4qPOTxilvFspEQniqEj0bg_a7paL_u4c

³ Available at: <http://hudoc.echr.coe.int/eng?i=001-208228>

⁴ Available at: <http://hudoc.echr.coe.int/eng?i=001-184213>

initiating nonviolent campaigns that actively involve local groups and individuals, supporting those who oppose war and who challenge its causes, and promoting and educating people about pacifism and nonviolence. WRI runs three programmes of work that are important to the network: The Right to Refuse to Kill Programme, the Nonviolence Programme, and Countering the Militarisation of Youth.

The [International Fellowship of Reconciliation \(IFOR\)](#) was founded in 1914 in response to the horrors of war in Europe, and has taken a consistent stance against war and its preparation throughout its history. Today IFOR has branches, groups, and affiliates in over 40 countries on all continents, while the International Secretariat is located in the Netherlands. IFOR's membership includes adherents of all the major spiritual traditions as well as those who have other spiritual sources for their commitment to nonviolence. IFOR has observer and consultative status to the United Nations ECOSOC and UNESCO organisations. IFOR maintains permanent representatives in Geneva, New York and Vienna and at the UNESCO in Paris who regularly participate in conferences and meetings of UN bodies, providing testimony and expertise from different regional perspectives, promoting non-violent alternatives in the fields of human rights, development, and disarmament.

[Connection e.V.](#) was founded in 1993 as an association advocating a comprehensive right to conscientious objection at an international level. The organisation is based in Offenbach, Germany, and collaborates with groups opposing war, conscription and the military in Europe and beyond, extending to Türkiye, Israel, the U.S., Latin America and Africa. Connection e.V. demands that conscientious objectors from war regions should get asylum, and offers counseling and information to refugees and support for their self-organisation.
