

Conscientious Objection in Turkey



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Conscientious Objection
in Turkey

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Demonstration in Istanbul;
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Contents

Introduction	4
Committee of Ministers of Council of Europe	
To the situation of conscientious objectors in Turkey	6
Ercan Jan Aktaş	
History of Conscientious Objection in Turkey	8
Rudi Friedrich	
Conscientious Objection and Asylum	12
Beran Mehmet İşçi	
How is it to be a conscientious objector from Turkey in Europe?	21
Halil Savda	
My experiences in the barracks	27
Mertcan Güler	
It all started with the Gezi protests	35
Onur Erden	
I refuse!	37
Franz Nadler	
25 years of solidarity with conscientious objectors from Turkey	51
Association for Conscientious Objection	66
About the Editors	67

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Introduction

In Turkey, the first conscientious objectors publicly declared their objections in the early 1990s and stood up against war, the military and compulsory service. At first there were only a few who decided to go public, like Vedat Zencir, Tayfun Gönül or Osman Murat Ülke. In the meantime, far more than 1,000 conscripts have declared their conscientious objections. Furthermore, hundreds of thousands have evaded military service, using other ways or hiding. Faced with prosecution, several hundred have sought asylum abroad.

This booklet will be published 30 years after the first public declarations of conscientious objection. It takes stock, describes the solidarity work for the conscientious objection movement from abroad and gives a voice to conscientious objectors, some of whom were active in Turkey for years and have now gone into exile, with an uncertain outcome.

At the same time the booklet is going to be published on May 15, 2021, the International Day of Conscientious Objection. Many other events, videos and actions will make the voice of conscientious objectors from Turkey heard around the world. Find out more at <https://de.Connection-eV.org/CODay2021> and www.wri-irg.org/en/CODay2021.

Failure in legislation of the right to conscientious objection

By now Turkey is the only member state in the Council of Europe that has not recognised the right to conscientious objection to military service. Conscientious objectors are forced by many different sanctions to undergo military service. As a result of these sanctions, objectors are facing continuous arrest warrants; a life-long cycle of prosecutions and imprisonment, and a situation of “civil death” which excludes them from social, cultural and economic life.

Legislative steps were taken on compulsory military service and also on the length of military service. A new recruitment law reduced military service in 2019 to six months. Nevertheless, the submitted draft of a law on conscientious objection prepared by the HDP (Peoples’ Democratic Party) a few years ago was rejected by the votes of the government party and other parties. Proposals by the HDP were also rejected in the legislative process for the new law in 2019. As a result, there is nothing in it about the right to conscientious objection.

There is a special feature in Turkey: the substitute payment for shortening military service for conscripts. According to Article 9 of the Recruitment Law, military service may be reduced to one month subject to payment of an amount equivalent to about €5,000. However, since this still involves military training, the substitute payment is not an option for conscientious objectors.

Prosecution and civil death

Objectors are still criminalised as draft evaders. An arrest warrant, continuously in effect, is issued and due to this, objectors might get detained in any ID checks by police/gendarmes. After first detainment objectors are given an administrative fine. At the same time, they receive a new call-up and are thus still held liable to military service. Once the administrative fine has become effective, every new detainment entails a new Article 63 Military Criminal Code procedure, with sentences from 2 months to 3 years or issuance of a fine (which is actually more common).

Furthermore, facing a vicious circle of arrest, criminal proceedings and re-enlistment combined with a lifelong conscription exposes them to “civilian death”, a term coined by the European Court of Human Rights in *Ülke v. Turkey* (application no. 39437/98).

Conscientious objectors cannot work in the public or private sector, as it is considered a criminal offence to employ conscientious military objectors. Conscientious objectors are thus forced to remain unemployed or to work illegally in precarious jobs. Conscientious objectors also have no right to vote or stand for election. Since any arrest will result in further prosecution, conscientious objectors must avoid activities in the

social, economic, legal and cultural spheres: getting passports, driving licences, staying in hotels, travelling, using public transport, visiting government offices and much more. They are thus forced into an underground way of life. As there have not been any changes despite the decisions of the European Court of Human Rights, most recently in June 2020 the Committee of Ministers of the Council of Europe, which supervises the implementation of the decisions of the European Court of Human Rights, took a position. We document the decision on [page 6](#).

This situation also applies to conscripts who have refused to join the army but have not declared their conscientious objections yet.



*Burning of military papers
2014. Photo: Vicdani Ret
Derneği*

Committee of Ministers

To the situation of conscientious objectors in Turkey

The Deputies (of Ministers')

1. recalled that these cases concern the applicants' repetitive prosecutions and convictions for refusing to carry out compulsory military service as pacifists and conscientious objectors, as a result of which they are compelled to lead clandestine lives amounting to "civil death", and the absence of a procedure to establish their status as conscientious objectors;

As regards individual measures

2. noted that the applicants Mehmet Tarhan, Caglar Buldu, Enver Aydemir, Feti Demirtas, Nevzat Umdü, Barış Görmez and Halil Savda are no longer under the obligation to perform military service;

3. expressed deep concern that Osman Murat Ülke, Yunus Erçep and Ersin Ölgün are still considered draft evaders and continue to face a situation of "civil death" and strongly urged the authorities to take all necessary measures without further delay to ensure that these three applicants are no longer prosecuted or convicted for refusing to carry out military service;

4. invited the authorities to clarify by 1 September 2020, and if needed to take the necessary steps to make sure, that all the consequences of the violations have been remedied for all nine applicants, namely reimbursement of administrative fines, lifting of arrest warrants for previous sentences, erasure of criminal records, and finally that none of the applicants are still under the risk of prosecution and imprisonment for refusing to pay the administrative fines issued in relation to their claims to conscientious objection status;

5. further invited the authorities to provide information on the outcome of the criminal proceedings against Mehmet Tarhan and on the criminal proceedings against the perpetrators of ill-treatment in the Enver Aydemir case;

As regards general measures

6. regretted that no progress has been achieved despite the authorities' undertaking, during the Committee's previous examinations, to move forward with legislative amendments; invited therefore the authorities to provide an action plan with concrete proposals for measures to address the Court's findings in this group of cases before 21 June 2021;

7. further invited the authorities to provide statistical information on the number of conscientious objectors in Turkey and on administrative fines, prosecutions and convictions delivered in this connection since the Ülke judgment became final in 2006.

Committee of Ministers: H46-40 Ülke group v. Turkey (Application no 39437/98), 13377th meeting, 4. Juni 2020, CM/Del/Dec(2020)1377/H46-40. Source: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016809e8f6e

In addition, public statements, e.g. at press conferences, actions or even in social media can be prosecuted. According to Article 318 of the Turkish Penal Code, “alienating people from the army” is punishable. Prosecution for “making propaganda for a terrorist organization” based on Article 7/2 of the Anti-Terror Law is also possible. In recent years both threats of punishment have been used against conscientious objectors and activists for peace and human rights.

The road to exile

The situation in Turkey is leading to more and more conscientious objectors seeking protection and asylum in other European countries. In Europe, however, they experience that persecution of conscientious objection is rarely seen as a reason to be recognized as a refugee. Usually, persecution is seen as a legitimate measure in Turkey to enforce conscription. Because of that they are threatened with deportation to the warlords in Turkey, which is an unbearable situation. The limits and possibilities of the asylum procedure are explained in the article on [Conscientious Objection and Asylum](#).

A main focus of this booklet is on the reports of conscientious objectors who have gone into exile. They portray the everyday reality of militarism in Turkey. Beran Mehmet İşçi, Ercan Aktaş, Halil Savda, Mertcan Güler and Onur Erden make clear how important their decisions against war and violence are to them and what repressions they were consequently subjected to. Despite all the imprisonment, torture and repression they have suffered, the reports radiate something positive, pleading for a world without war, oppression, military and violence.

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Report in Progress

The expert report “Conscientious Objection to Military Service in Turkey” will soon be published by the *Association for Conscientious Objection* in cooperation with other organisations. It can be downloaded from the *Connection e.V.* website from June 15, 2021.

[Download](#)

Ercan Jan Aktaş



History of Conscientious Objection in Turkey

The struggle for conscientious objection in Turkey started with Tayfun Gönül's declaration on 6th of December 1989 and Vedat Zencir's declaration on 6th of February 1990, both published in *Sokak* (a magazine called 'Street').¹ These actions – of two Turkish individuals coming out and declaring "I will not join the military", and standing against all policies of violence, conflict and war – were extremely important. During this period massacres, deployment of unknown assailants, and torture were common means of a state policy carried out within a "homeland-nation" discourse.

There was a difference when compared to the western conscientious objection. In the west, conscientious objection was understood as accepting civil service as an alternative to the compulsory military service. But in Turkey there is no alternative offered, so the process began with the total refusals. To be a conscientious objector in a 'soldier nation' society like Turkey meant abandoning all 'normie' male roles of the system and the society – founder of the family, pillar/man of the house, core of the society, reliable citizen. In fact, in Turkey, a man completing his compulsory military service is seen as 'completing his masculinity cycle' and taking a step towards his assured position in society. Those who did not do their compulsory military service, would be seen as 'an incomplete man', or rotten, or crippled.

Becoming a conscientious objector meant transcending all these social norms, abandoning the heteronormativity that was built/imposed by the system/society, and to build yourself again with your own values. On the other hand, there was always an anti-war stance to conscientious objection statements in Turkey. Probably for this reason, their first collective outbursts went by the name "War Resisters' Group", under which the conscientious objectors started their fight against violence and militarism in Turkey and in Northern Kurdistan.²

In a society where everyone has been identified as a Turk and soldier from birth, these objections started to write another story. Three years later, on January 16, 1993, the first collective conscientious objection statement was made by Erkan Çalpur, Atilla Akar and Yusuf Doğan. Even if they originated in small anarchist communities, these conscientious objections gave rise to an anti-militarist, anti-hierarchical, anti-authoritarian discourse, and political line started to develop for the first time, distinct from both the democratic/opposing left groups and the male/military system. With the conscientious objections of Uğur Yorulmaz, Timuçin Kızılay and Hasan Çimen on 15th of May in 2000, May 15 is now noted for collective conscientious objections. Along with the struggle for conscientious objection, the trials of "alienating people from the army" have also started. Tayfun Gönül and Vedat Zencir were the first to

1 Tayfun Gönül: Haki Veya Beyaz, Üniforma Üniformadır – bianet.org

2 Dünyada ve Türkiye'de Savaş Karşıtı Hareket ve Antimilitarizm Üzerine: Kültür ve Siyasette FEMİNİST YAKLAŞIMLAR (feministyaklasimlar.org)

be tried and sentenced. However, conscientious objectors in Turkey did not step back thereafter. We may even say that certain opposition groups and organizations outside the anarchist/left circles were informed about conscientious objection in Turkey via these trials.³

Conscientious objectors both expressed themselves via their objections, by actions, organizations, campaigns, street protests, performances, to which they started to add another space of struggle, another line. They carried out their campaigns within consensus-based, horizontal organizations, without returning to a hierarchical structure. Their presence on the streets was often of a festive appearance, quite unlike the approach of opposition groups before them.

From the very first moment, the antimilitarist movement has been linked with feminist and LGBTI+ groups and organisations. This situation was a serious factor that prevented the formation of another “manly”⁴ field against military service, which is a “masculine” field in itself. Conscientious objection has become a contested zone that constantly questions the state of “being male” and “masculinity” and has (re) created itself for many years on the basis of horizontal organization and network structure, thus protecting itself from hierarchical and centralized groups and organizations.

Osman Murat Ülke, Mehmet Tarhan, Halil Savda, İnan Süver, Enver Aydemir turned their trials into campaigns to promote conscientious objection in Turkey and have conducted campaigns for its recognition in society. With all of these actions and studies collective conscientious objections were organized in more powerful ways. On 15th of May in 2004, ten people, including six women (Ferda Ülker, İnci Ağlagül, Ebru Topal, Method Yurtsever, Nazan Askeran, Hürriyet Şener), declared their conscientious objection at a press conference.

Collective conscientious objections organised in the form of press conferences became the rule as a massive campaign every 15th of May. On May 15, 2010, 29 people declared their conscientious objection through a campaign of the *Conscientious Objection Platform for Peace* which was composed by various left/opposition groups and organisations. Declaring his/her/their conscientious objection during a campaign or a demonstration of solidarity with conscientious objectors became habitual.⁵

Every year, dozens of people announced their conscientious objection by reading in front of the press members the texts they wrote according to their political tendencies. In a society that has been taken



Osman Murat Ülke burns his military papers 1996. Photo: Tuncay Akbaş

- 3 AİHM'in Vicdani Retçi Osman Murat Ülke kararı | Açık Radyo 95.0 (acikradyo.com.tr)
- 4 *Erkeklik* means virility and or masculinity in Turkish, and the first three letters *erk* mean “power”, without an etymological link between two words. Yet, in the original text the writer chooses to underline the semantic brotherhood between these words (man and power) by writing *erk'eklik*.
- 5 29 Kişi Daha Katıldı, Vicdani Retçilerin Sayısı 118 Oldu - Tolga Korkut – bianet.org

hostage by male-dominated, militarised policies, each of these texts of conscientious objection takes the form of a detailed “manifesto of freedom”. These rejections, which staged in the streets, in protests at festi-



Conscientious objection action 2014 in Istanbul. Militarism kills. Photo: Vicdani Ret Derneği

vals and campaigns in front of hundreds of people and dozens of media outlets, suddenly stopped. In July 2016, some military officers attempted an unsuccessful coup on the 15th of July, which was completed politically on the 20th of July by the government party AKP and its ally MHP, we may call it “a new coup model”. This started a new era in Turkey. Since 20th of July 2016, the streets have almost been closed to life. Many opposition groups and democratic organisations and progressivist individuals have been oppressed, even more severely than at the time of the military coup of the 1980.⁶

Many websites, radio stations, television channels and newspapers that do not obey the AKP/MHP’s racist/military policy were closed by presidential decrees. While many conscientious objection activists were leaving Turkey, the ones who stayed were affected by all of this pressure and policy of violence.

Once we leave 2016 behind, we see that in 2017 twenty people declared their conscientious objection. Twelve of these objections are put forward out via email; three of them via personal social media accounts of the objectors; one of them declared in Italy, two in Germany and three in France. When we look at the last two years (2018-2019), we ob-

6 Ercan Aktaş: OHAL ve Bir Vicdani Retçinin Hikâyesi | Biz Varız! | We Exist! (kopuntu.org)

serve that the number of conscientious objections declared from European countries has increased.

In 2018, 13 people from Turkey declare their objection from Europe: one from Italy, one from the Netherlands, three from Germany and eight from France. This gives us a panorama of the situation of Turkey's conscientious objectors. There is a one-day long symbolic training for 16-year-olds as there is no conscription in France. But especially for the last four years, we have had a new situation in the context of conscientious objection in France, as Turkish conscientious objectors declare their objections here in France. Because of the anti-democratic and authoritarian system, living in Turkey has become quite difficult for those who are against compulsory military service, so that they declare their objection once they arrive in a European country.⁷

Twelve people have declared their conscientious objection since 2020; Mehmet Şaban Değirmenci, Ömer Tüzün, Mahsum Duman, Osman Yılmaz, Mustafa Doğan, Resul Güler and Halil Göktaş live in France; Murat Kızılay lives in the Netherlands; Resul Dündar and Mertcan Güler live in Germany. Only two people declared their objection in Turkey, because declaring his/her/their conscientious objection in Turkey right now means 'civil death'.⁸

We should thus consider the need to open a new chapter on the situation of conscientious objectors (originally from Turkey) especially in France and in Germany.

Even if the Republic of Turkey is out to maintain the pressure on conscientious objectors inside its frontiers via racist/militarist nation-state policies, as it does for all the opponents and democratic groups, these people, the opposition, the objectors will continue their fight elsewhere and keep fighting by using other means of resistance.

Conscientious objectors who have to live in Europe continue their fight together with anti-war groups and individuals such as *War Resisters' International*, *European Bureau for Conscientious Objection*, *Connection e.V.*, *Peace House* and *Maison de la Paix*.⁹ ■

- 7 Mehmet Şaban Değirmenci (vicdaniret.org)
- 8 Vicdani reddin bedeli: 26 bin TL ceza, üç yıl hapis, medeni haklardan men – [Diken](#)
- 9 Avrupa Vicdani Ret Bürosu'ndan Türkiye'ye eleştiri | ALMANYA | [DW](#) | 14.05.2019

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Connection e.V.

Conscientious Objection and Asylum

In the 1990s, several hundred conscripts from Turkey applied for asylum in Germany and other countries. They went public with their conscientious objection, made it clear in front of the Turkish consulate, at press conferences or on other occasions that they were not willing to serve in the Turkish military, especially in protest against the war then waged in southeast Turkey. In many cases, their applications were initially rejected by the authorities. In some cases, they actually succeeded in obtaining protection under refugee law. Quite often this outcome derived from the fact that they had to expect additional criminal prosecution because of their public conscientious objection.

However, as the number of such cases increased, the German authorities tried to develop a line of reasoning enabling them to reject asylum applications. In one case, for example, it was finally argued that there was in fact no longer any threat of persecution since there were now so many cases that the Turkish authorities would no longer take action against conscientious objectors in each individual case. There was therefore no longer any danger of persecution. Such an assessment was upheld even when there was evidence that corresponding criminal proceedings had been initiated.¹ Obviously, the German authorities tried to close this door in order to develop, once again, a blueprint for the rejection of conscientious objectors from Turkey in asylum proceedings and thus deny them protection under asylum law.

In the following article, I will examine the current situation of conscientious objectors from Turkey in asylum proceedings in the light of the current repressive policies of the Turkish government and newly issued directives and judgments at European and international level.

Preliminary remark: an emancipatory step is outlawed

For *Connection e.V.*, the focus is on the women and men who, often because of their very concrete situation, say no and evade, defy, refuse or desert military service. Such a decision is courageous, especially in view of threatening criminal consequences and being ostracised as a traitor. However, conscientious objection or desertion has another meaning as well: conscientious objectors and deserters provide examples of possible courses of action in the societies that are involved in a war outside the logic of war, which only knows allies and enemies, only military confrontation and combat. They demonstrate that while there is a compulsion to join and stay with the military, their decision does not subject itself to this compulsion. The principle of order and obedience, without which the military with its hierarchical structures would not function, is questioned. It is a step of emancipation, towards the idea of ending the

¹ Judgment of Administrative court Gießen in the case of Er, January 25, 2006

war. Although there are only a few cases when the number of deserters and conscientious objectors alone was at least a cause to really end the war, their example has had an impact on (their respective) societies.



Moreover, for many such a step is the only way to ward off implication in war crimes or having to shoot at own neighbours. The motives are manifold and rarely match up with those that here in Germany are considered to constitute instances of conscientious objection to military service, i.e. a general rejection of any war deployment. The motives of deserters and conscientious objectors relate much more to their concrete situations, to the wars that are being waged in each case. They do not are not orientated towards international conventions, but rather towards their own conscience.

*Asylum for conscientious objectors and deserters. Rallye in Münster/W. 2004
Photo: Rudi Friedrich*

How the asylum procedures evolved

Turkey still does not accept the human right to conscientious objection. Since the early 1990s, more than 1,000 conscripts in Turkey have declared their conscientious objection. Hundreds of thousands have evaded conscription in other ways or have gone into hiding. Several hundreds faced with persecution have sought asylum abroad.

In their asylum proceedings, however, they often found that their decision of conscience and the resulting criminal prosecution were not considered grounds for asylum. In one such case, the Higher Administrative

Court of Lower Saxony ruled that a right to conscientious objection could not be derived from Article 9 of the European Convention on Human Rights, freedom of thought, conscience and religion, since it follows from Article 4 (3) of the Convention that general conscription is recognized as a right of every state under international law and that there is no obligation to offer alternative service. "Since Turkey punishes anyone who refuses military service, regardless of their motivation, the punishment is merely regulatory in nature." Protection against deportation should also be rejected. "It is true that the Qualification Directive of the European Union has come into force in the meantime. But when performing military service in Turkey, no actions are required, such as participation in a war that is contrary to international law or actions that contravene international law."²

In the meantime, since 2007, the higher court jurisprudence has changed in the wake of rulings of the European Court of Human Rights and the European Court of Justice regarding conscientious objection and regarding the granting of asylum in case of conscientious objection. Among other things, there have been the following landmark decisions and guidelines:

- 2 Higher Administrative Court Niedersachsen, Decision March 2, 2007 – AZ 11LA 189/06; to the Directive please see footnote 3
- 3 Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons eligible for subsidiary protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, L 337/9, article 9 par. 1e, <https://kurzelinks.de/fkof>
- 4 European Court for Human Rights, Judgment, January 24, 2006, application no. 39437/98
- 5 European Court for Human Rights, Judgment, July 7, 2011, application no. 23459/03
- 6 Yunus Erçep v. Turkey, 43965/04, 22/11/2011; Feti Demirtaş v. Turkey, 5260/07, 17/01/2012; Halil Savda v. Turkey, 42730/05, 12/06/2012; Mehmet Tarhan v. Turkey, 9078/06, 17/07/2012

- In 2004, the EU Qualification Directive was presented, which defined the criteria according to which persons may be recognized as refugees and as being entitled to subsidiary protection. The directive was revised. The revised version was to be implemented in all member states of the European Union by December 21, 2013. It is intended to protect those who are flee a war or acts contrary to international law, and who face persecution.³
- In 2006, the European Court of Human Rights ruled in the case of Ülke v. Turkey that there was a violation of Article 3 of the European Convention on Human Rights because, with regards in particular the numerous criminal proceedings brought against a conscientious objector, "the cumulative effects of the ensuing criminal convictions and the constant alternation between prosecution and imprisonment, together with the possibility that he would face prosecution for the rest of his life, are disproportionate to the aim of ensuring that he performs his military service." The Court characterized resultant life of secrecy forced onto the applicant as a "civil death".⁴
- In the case of Bayatyan v. Armenia in 2011, the European Court of Human Rights ruled that the conviction of a conscientious objector violated Article 9 of the European Convention on Human Rights (ECHR), also the right to freedom of thought, conscience and religion. At the same time, it recognized the human right to conscientious objection.⁵ Similar rulings were also made with regard to conscientious objectors from Turkey.⁶

- In 2013 the UNHCR submitted the Guidelines on International Protection No. 10 defining the treatment of claims of Refugee Status related to Military Service within the context of the Geneva Convention.⁷
- In 2012 the UN-Human Rights Council resolved a resolution which encourages states to consider granting asylum to those conscientious objectors to military service who harbour well-founded fear of persecution in their country of origin because of their refusal to perform military service.⁸

a) The principle

In June 2020, Julia Idler presented a detailed study on how the refugee recognition of conscientious objectors and deserters under the Geneva Refugee Convention has developed.⁹ In particular, she examined the case law in Germany and the Anglo-American states. She concludes that in the European Union, as well as in Canada, the United States, and Great Britain, the case law of the higher courts continues to point out “that conscription is a general state duty that affects all citizens (or at least all citizens of military age and, if applicable, of the male sex) equally; prosecution and punishment for refusal are therefore classified as legitimate state action.”¹⁰ Only Australia takes a less restrictive stance in this regard.

b) Refugee protection under the Geneva Convention

As a result, despite developments in high court jurisprudence, persons who refuse to perform military service in Turkey and who face persecution continue to be denied refugee protection under the Geneva Convention. Punishment in itself is not considered sufficient. Only if additional persecution can be shown, if the punishment is disproportionate, or if purposeful persecution for political reasons can be shown, will the authorities and courts consider recognizing them as refugees.

In recent years, for example, there have been several cases of conscientious objectors from Turkey who were subjected to additional criminal prosecution due to their political work in Turkey and were able to prove this. Particularly relevant here is prosecution under Article 318 of the Turkish Penal Code, which criminalizes “alienating the people from the army” and thus critical statements about the military or even calls for conscientious objection. Relevant is article 7/2 of the Anti-Terrorism Law as well. It has been used repeatedly to prosecute the expression of non-violent opinions, of conscientious objectors, supporters and peace activists because of “making propaganda for a terrorist organization”. In this regard, there have been recognitions in Cyprus and France.¹¹

c) Subsidiary protection

In article 15, the European Union Qualification Directive provides subsidiary protection in the case of torture or inhuman or degrading treatment or punishment of an applicant. This goes back to Article 3 of the European

7 UNHCR: Guidelines on International Protection no. 10. December 3, 2013, HCR/GIP/13/10. corrected November 12, 2014: <http://www.unhcr.org/529efd2e9.html>

8 UN Human Rights Council. A/HRC/RES/24/17, 27. September 2013, http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/24/17

9 Julia Idler: Die Flüchtlingsanerkennung von Wehrdienstverweigerern und Deserteuren nach der Genfer Flüchtlingskonvention, Nomos Verlag, Baden-Baden 2020.

10 Julia Idler, p. 126f

11 e.g. decision of Asylum Service of the Republic of Cyprus case Halil Savda. 24.10.2017, F17-02131 R

Conscientious Objection and Asylum

Convention on Human Rights (ECHR). It should be noted here, in particular, that the European Court of Human Rights had found a violation of Article 3 ECHR in the case of *Ülke v. Turkey*, as explained above, due to the repeated punishment of a conscientious objector. In this sense, there



European Court for Human Rights in Strasbourg, Photo: CherryX

was a judgment in Germany, for example, concerning an Azerbaijani conscientious objector. Here the court found that “an Azerbaijani national who permanently refuses military service (...) in Azerbaijan (must) reckon with repeated and thus in sum disproportionately long prison sentences. This constitutes a risk of humiliating and degrading punishment disproportionate to the purpose of ensuring the performing of military service.”¹² However, the court only reached this decision in this case because it was convinced “that the plaintiff is indeed refusing military service on grounds of conscience”.

d) Human rights to conscientious objection

Even though the European Court of Human Rights has defined conscientious objection as a consequence of freedom of thought, conscience and religion, this is still not reflected in refugee law. Article 9 of the European Union’s Qualification Directive *de facto* excludes fundamental protection for conscientious objectors and relates possible protection status solely to the refusal of acts or wars contrary to international law.

¹² Administrative court Lüneburg, 16.11.2020, 2 A 21/18, <https://www.asyl.net/rsdb/m29074/>

In the case of an asylum application, however, an additional examination is made as to whether there has been a violation of the European Convention on Human Rights. In Germany, an obstacle to deportation must then be pronounced in accordance with Section 60 (5) of the Residence Act, the worst possible status. It says: "A foreigner may not be deported insofar as the application of the Convention of November 4, 1950, for the Protection of Human Rights and Fundamental Freedoms shows that deportation is inadmissible."

e) Selective conscientious objection

Not all conscientious objectors make an absolute decision against any war deployment. Often, especially in the case of war or tension, this decision is made because of a particular personal or social situation. In Turkey, for example, there are many conscripts who refuse to serve in the eastern part of the country, which is inhabited primarily by the Kurdish population. But even such a selective decision reflects the conviction that one does not participate in military operations and rejects the armed force involved. In its guidelines, the UNHCR points out that conscientious objection also exists when individuals are convinced that "the use of force is justified in some circumstances but not in others, and that therefore it is necessary to object in those other cases"¹³. The Advocate General of the European Court of Justice, Eleanor Sharpston, also noted in a November 11, 2014 opinion that the term conscientious objection "may also refer to persons who object to a particular conflict on legal, moral, or political grounds or who object to the means and methods used to prosecute that conflict."¹⁴ This reasoning has not yet been reflected in asylum proceedings.

f) Illegal war or actions in violation of international law

As noted above, the EU Qualification Directive is intended to protect those who are evade a war or acts in violation of international law and face persecution. Applied to the situation in Turkey, this means that an asylum applicant would have to prove that the Turkish military is committing such war crimes and that he or she would very likely be forced to participate in them as a conscript. As things stand at present, it can be assumed that this proof can only rarely be provided and that the level for proof required is set particularly high.

g) Credibility of a conscientious objection

Authorities and courts base their decisions on very high standards as regards conscientious objection. In Germany, for example, the courts are guided by the jurisdiction that has developed over the past decades on the proceedings concerning German conscientious objectors. In the case of a Kurdish conscientious objector, the Saarland Administrative Court stated: "Such a decision of conscience presupposes a moral decision

¹³ UNHCR, loc. cit.

¹⁴ European Court, Opinion of General Advocate Sharpston, C-472/13, Punkt 53. <https://en.connection-ev.org/pdfs/14StSh-en.pdf>



Don't go to the military. Rally in Münster/W. 2004. Photo: Rudi Friedrich

that the conscientious objector inwardly experiences as binding on him and against which he cannot act without falling into severe moral dilemma. What is required is a decision of conscience against the killing of people in war and thus one's own participation in any use of weapons. It must be absolute and may not be situation-specific.”¹⁵ Since the applicant had not explained his refusal in the required manner, his application for asylum was rejected.

Conscientious objectors need asylum!

Therefore, in principle, we must conclude that prosecuting conscientious objection or military draft evasion is not regarded as persecution within the meaning of the Geneva Convention; accordingly, a case is made for a mere prosecution of an offense, i.e. military draft evasion or desertion, but no targeted action is taken against the person concerned in the sense of political persecution. The decision of conscience is disregarded. In our opinion, this view is no longer acceptable in the light of legal developments.

Refugee recognition according to the EU Qualification Directive is possible if the person concerned has refugee status according to the Geneva Convention and there is an act of persecution in this regard. The Qualification Directive states accordingly: “One of the conditions for qualification for refugee status within the meaning of Article 1(A) of the

¹⁵ Administrative court Saarland, 21.11.2018 - 6 K 1091/17 - asyl.net: M27072, <https://www.asyl.net/rsdb/m27072/>

Geneva Convention is the existence of a causal link between the reasons for persecution, namely race, religion, nationality, political opinion or membership of a particular social group, and the acts of persecution or the absence of protection against such acts.”¹⁶

a) Membership to a particular social group

With regard to persons who refuse military service, membership to a particular social group, in particular, to date almost completely been disregarded. In its guidelines the UNHCR has defined social group in more detail. It is stated:

“A particular social group involves a group of persons who share a common characteristic other than their risk of being persecuted, or who are perceived as a group by society. The characteristic will often be one which is innate, unchangeable, or which is otherwise fundamental to identity, conscience or the exercise of one’s human rights.”¹⁷ Similarly, the European Union’s Qualification Directive also defines a social group in Article 10 (d).

Accordingly, UNHCR concludes in Guidelines No. 10 that conscientious objectors are to be considered a specific social group, “given that they share a belief which is fundamental to their identity and that they may also be perceived as a particular group by society. (...) This may also be the case for draft evaders or deserters, as both types of applicants share a common characteristic which is unchangeable; a history of avoiding or having evaded military service. In some societies deserters may be perceived as a particular social group given the general attitude towards military service as a mark of loyalty to the country and/or due to the differential treatment of such persons [for example, discrimination in access to employment in the public sector] leading them to be set apart or distinguished as a group. The same may be true for draft evaders. Conscripts may form a social group characterized by their youth, forced insertion into the military corps or their inferior status due to lack of experience and low rank.”¹⁸

b) Acts of persecution

In addition, individuals who refuse or evade military service are subject to both criminal prosecution and persecution in Turkey through so-called “civil death” status. This is a 2006 definition by the European Court of Human Rights, as outlined above. This excludes them from a whole range of civil rights. The decisive factor for prosecution is not what the motives for their acts are. Only the act itself is considered contrary to the goals of state action. For example, they are subject to lifelong conscription, which means that once they have been punished, they are called up again and are thus subject to repeated punishment. People who refuse to perform military service are effectively deprived of their civil rights. They cannot obtain a passport, they cannot take legal employment,

16 Directive 2011/95/EU, (29)

17 UNHCR, Guidelines on International Protection, HCR/GIP/02/02, May 7, 2002

18 UNHCR, Guidelines on International Protection No. 10, November 12, 2014, HCR/GIP/13/10/ Corr. 1, par. 58

their freedom to travel is restricted, they are at constant risk of being recruited and prosecuted again, they cannot open a bank account, and they cannot vote in elections. Conscientious objectors thus face far-reaching administrative measures that exclude them from society, deprive them of essential civil and human rights, and effectively force them into an illegal status.

Conscientious objectors also face public social stigmatization and discrimination reinforced by the administrative measures, and thus persecution that goes beyond criminal sanctions.

Summary

Based on these considerations, it is imperative that persons who evade military service in Turkey, refuse or desert, and who are therefore exposed to persecution, must be considered as a social group within the meaning of the Geneva Convention on the one hand, and must be granted protection under asylum law on the basis of persecution on the other. The fact that people who refuse to participate in war and war crimes are denied refugee protection and are being deported constitutes an untenable state of affairs. This puts them at the mercy of the very warlords who are responsible for the wars. ■

How is it to be a conscientious objector from Turkey in Europe?

My name is Beran Mehmet İşçi. I am from Turkey and of Kurdish origin (Zaza¹). I am a conscientious objector, author and poet. In November 2018, I declared my conscientious objection in Turkey. Due to the situation there, I had to hide for a while. But there was always the question of how I could continue my life. Seeing no other option, I finally decided to move to Europe and to apply for asylum. In February 2019, I arrived in Germany and applied for asylum.

In the course of my political activities, which I continued after arriving in Germany too, I am now taking part for the second time in a project for the International Day of Conscientious Objection, 15th May. Every year it is prepared and conducted worldwide by various organisations worldwide. On the occasion of this year's 15th of May, I want to describe as briefly and succinctly as possible the difficulties I face here in Germany.

In the first two weeks in Germany, I was looking for more information about the asylum procedure and a lawyer. I was not of the fact that these were important issues because of the situation in the refugee camps in Turkey. After about two weeks, I met with my lawyer to get legal information and gave him power of attorney. He more or less predicted what would happen.

But it was more important to get information from other refugees. Because of the large number of refugees from the Syrian civil war, the attitude of European states and societies towards refugees had changed, regardless of where they came from. I had the opportunity to observe that the situation and attitudes of people were very different from the experiences described by migrants who arrived in the 80s and 90s. Now it is my turn to talk about how I experience the situation, which I have been able to observe for about two years, with all its positive and negative aspects.

After the talks, I reported to a branch of the Federal Office for Migration in Karlsruhe and applied for asylum. After spending the night there, I was transferred to the city of Heidelberg. There my data was queried and fingerprints were taken. I was told that I would then be transferred to Bavaria, which happened after about three days.

Then I was sent to an asylum centre for 800 people in Donauwörth, a small town in Bavaria. It was not just an asylum centre, but rather a whole complex. It also contained buildings for the Federal Office for Migration, the Central Foreigners Authority (ZAB) and a small medical centre. That's why the interview I had with the German authorities for my asylum application took place there.

A few months after I had left this facility, this camp was reported about in various media and newspapers in Turkey. People who were in

Beran Mehmet İşçi



1 Zaza is a population group in Eastern Anatolia with three to four million people

the camp were labeled as terrorists and denounced. This also meant that anyone who was there as a refugee and managed to leave the camp to start a new life outside had to keep this under wraps because of nationalist and Islamist Turks. Finally, the media, under the control of organisations supported by these people, had targeted these refugees as terrorists and enemies of the state.

According to the general sociological definition, terrorists are people who try to achieve their political goals by recourse to armed force against a state. It is ridiculous that the very people who do not take up arms, like me and all the other conscientious objectors who were there in the camp, are now labeled as terrorists by Turkey.

About a month after transfer to this facility, a meeting with a Federal Office official and a translator took place in April 2019. It lasted about four hours. I was not subjected to pressure or repetitive questions from the official in charge, as I described my life chronologically. Consequently, the official did not have much to ask.

I was not subjected to much pressure or coercion in the hearing. However, I must point out that the attitude of the officer in charge towards me was demanding and authoritarian. I felt this especially acutely once I described various social and political events that had occurred in Turkey. Then the official tried to exert influence, pointing out that he had "enough information about the country you come from." He then said, "You can continue with your story." He informed me that I should only report things related to personal experiences.

Based on my knowledge of the requirements and guidelines of the asylum procedure, I already knew that the assessment of a person is only based on the events that the person has been exposed to. However, several armed clashes took place in Turkey, suicide bombings like the one in Ankara that killed 100 people, some of whom I knew. That concerned, and I said I was therefore obliged to cite these events, trials and political developments. It is these conflicts, the deaths and the brutality that determined my personal development, these events influenced my perception and led me to become a pacifist and consequently a conscientious objector. In a society where there is no war, no hostility or no brutality, one would not expect the emergence of an anti-war attitude nor pacifism or anti-militarism.

Almost everyone is against war and rejects it. But a person who experiences the horror that results from this chaos hates war. Therefore, I wanted to show in the interview which political backgrounds were decisive for my conscientious objection by talking about my personal political life and my role models.

About six months later I received the decision from the Federal Office, a refusal. Now I saw that what I wanted to say was not understood. Even if it was understood, it was not considered sufficient for asylum. Some of my statements were transcribed only half-heartedly. The human rights

violations, of which the European Union and the German Parliament are well aware, were not addressed or acknowledged.

The decision of the Federal Office for Migration referred to the secular constitution of the Republic of Turkey of 1982 and assumed that Turkey was a free and democratic country. Yet the authorities knew as well as I did that the 1982 constitution was the result of a military coup. It contradicts secular, democratic and free conventions. Thousands have fled from the inhumane attitude of this state. To believe that Turkey is nevertheless a democratic country ignores the military coup that has produced nothing but brutality and massacres. It is sad to note the position taken by German authorities.

The decision also stated that as a conscientious objector I had not been subjected to any fundamental human rights violation as set out in accordance with international human rights conventions and agreements. The Military Service Act was in line with European Union regulations. The basis of refugee protection was the persecution and human rights violation of a person. I was therefore not granted asylum.

As I reported in the interview, conscientious objectors in Turkey cannot work legally, cannot study, cannot get a passport, cannot get married, cannot recognise their children. So conscientious objectors in Turkey are not only refused the right not to kill others, but their right to work, to education, freedom to travel, to marriage and to have children are also denied. Conscientious objectors call this fate 'civilian death'.

Moreover, in Turkey men who have not done military service are not considered male members of society. Men are not allowed to marry if they have not done their military service. The social pressure is appalling. As a conscientious objector, I was horrified at the human rights violations and persecution I was subjected to.

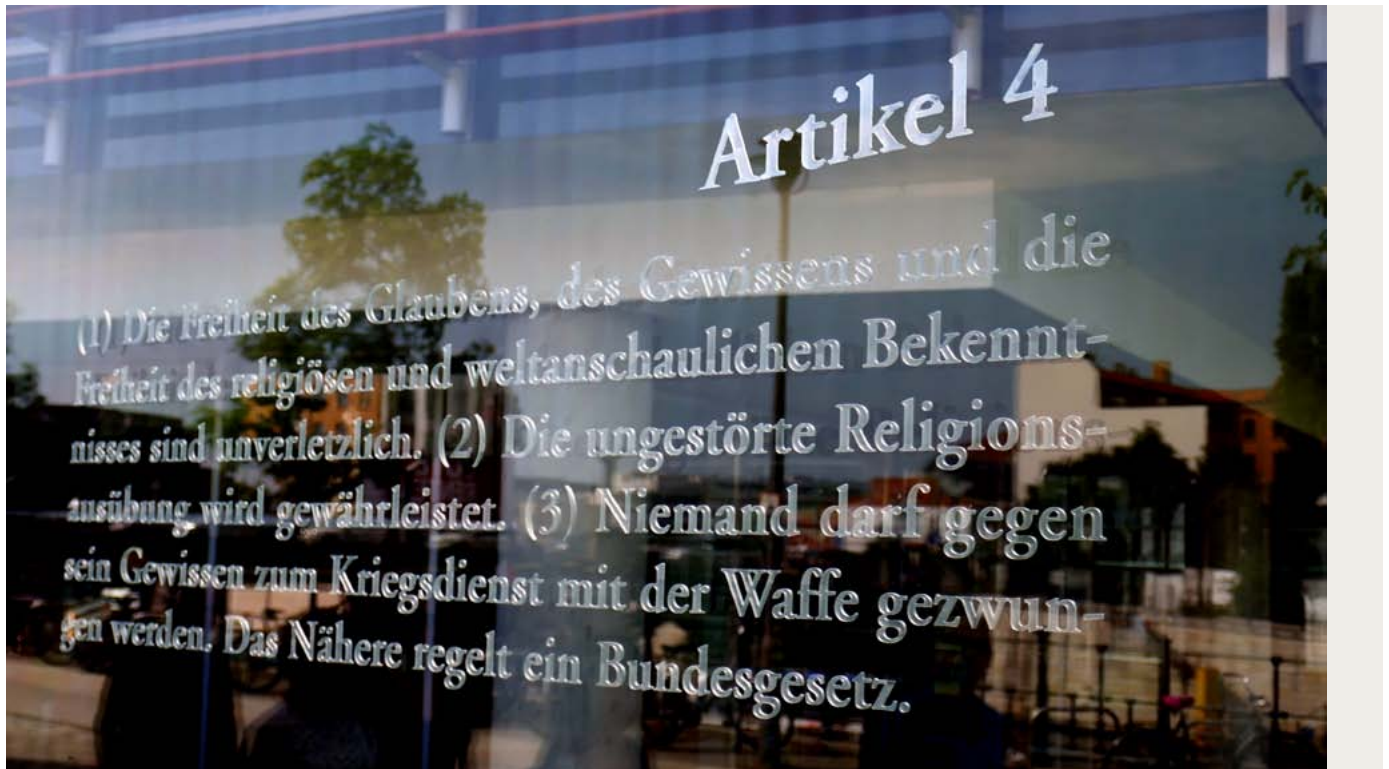
The Federal Office's decision also states that I could choose the substitute payment for completing military service. I could have used the human traffickers' fee for that. That way I wouldn't have to do military service. In this way, my conscientious objection was not taken seriously.



Recordings for video "My road to exile", <https://youtu.be/7JtpF86Od8Y>

Such an attitude shocked me, especially in view of the fact that the officer had stressed several times that he knew the situation in Turkey well. For anyone who knows Turkey, who follows its politics, such a line of argument is completely incomprehensible.

Anyone who pays the substitute payment to do military service in Turkey still has to do one month military service. So even if it is no longer six months of military service, I would still be exposed to situations that I



Artikel 4 of German constitution on a wall at German Bundestag

cannot accept as a conscientious objector: wearing a uniform, training at with guns, receiving and giving orders. A persecution or a violation of human rights can last for an hour or a hundred years. It is unacceptable that shortening the time of a human rights violation should make its existence lawful. In the end, my problem is not whether military service should be for six months or just one month. The problem is military service itself.

In the Basic Law of Germany, Article 4(3) states: "No one may be forced to do military service with weapons against his conscience." In view of this, the officials of a state where this problem was solved decades ago should be sufficiently informed about what conscientious objection means. However, when the issue is raised in an asylum procedure, the attitude is clearly to simplify the values of the applicant who pays a high price for his conviction.

Even if there were no obligation to do military service, it would go against my conscience and moral values to pay money to the army. In

this case, I will not kill people myself, but I help others and the institution of the military to do so. I do not fire a bomb on the front line myself, but I have paid for the bombs that are fired by others. People die with the money I pay, whether they are armed or civilians. I support the concept of total refusal, which is being discussed among conscientious objectors. In other words, even if there were no conscription and no money to pay, I refuse to serve in other state institutions instead.

This is a controversial issue among conscientious objectors. First of all, it has to be about the right to conscientious objection. Nevertheless, it is clear to me that I could not accept doing alternative service if it were introduced. I do not want to lose my freedom to a place I do not want to be in, to a job I do not want to do, to a profession I do not want to devote time to.

In view of all this, it is obvious that I, like all other conscientious objectors, have been subjected to human rights violations. I quoted the German Basic Law above. I had to find out: A state claims that someone who is deprived of a fundamental right in their country is not deprived of their fundamental rights. That is a bit confusing. But unfortunately this is what is happening.

The notice also states that there are also many “loyal Kurdish” soldiers in the army who have reached very high positions professionally. However, it does not say what attitude the Kurds face who are not loyal, who oppose the state and the government. So the statement of the authority is: If they were a loyal Kurd, they might not have a problem at all.

This discourse reflects a sanctioning and oppressive mentality. Moreover, although I explained during the interview the reasons for my conscientious objection, it is simply attributed to my being a Kurd, and it is said that this lacks political relevance.

In the interview, I said that if I had to join the military as a Kurd, I would have to use violence against my own people, against armed people or even against civilians. This is one of the reasons for my refusal. But the only thing the German authorities made of it was that as a Kurd I do not want to enter the military.

I had to mention the conflict. Turkey has been in conflict with the Kurdish people for 40 years and the majority of the opposition organisations is Kurds.

We all remember the reactions of the European Parliament, the European Union, states, media and the public in Europe when Erdoğan launched the military operation across the border in Syria. Almost everywhere on the continent it was said that this was an attempt to massacre Kurdish civilians in Syria. It is difficult to understand the difference of the discourse then and now. I think that back then the reactions were not about the death of civilian Kurds, but about the fear of another large number of refugees. Even though I try to find good intentions behind it, I cannot help arriving at this conclusion.

As a Conscientious Objector in Europe

Despite all these difficulties and conflicts, I have to say that I have not lost hope. It is paramount to keep this just struggle alive, to resist, not to stop, to shout out loud. I saved myself from a dangerous situation in Turkey. I did not come here to live a comfortable life, but stand for many who are deprived of their rights. I find it more ethical to speak up for thousands of people instead of living an easy life. There is nothing better than refusing to become a murderer.

I will continue my struggle until this right is given to all opponents of war and violence in the world. Conscientious objection is a human right. Not to recognise it is a violation of human rights. Once one person's right is violated, the rights of all people in the world are violated too. From this perspective, I invite all people whose rights have been violated to defend their rights.

I congratulate all conscientious objectors around the world who have been subjected to various kinds of inhumane treatment and violation of their rights, on not consenting to become murderers. I would like to meet with you on 15th of May, in freedom.

Uninterrupted conscience, unconditional peace. ■

My experiences in the barracks

The history of conscription is a history of militarisation. It is a breathtaking story. And conscription is still effective today in countries like Turkey.

Development of conscription

Even though a practice of conscription developed with the French bourgeois revolution, it was not institutionally implemented on a broad scale in modern states until World War I.

It is a time when the modern state and its society are constituted through nationalism and military service. Military service is equated with love of one's homeland. But only men could do military service. Therefore, the call to defend the homeland was a call to men. Patriotism and masculinity thus became a kind of synonym. Only men were entitled to heroism. Thus, heroism was distributed amongst men

The following picture emerges: The defence of the homeland is entrusted to the soldier, the man. Groups of society that are not recruited, such as women, are now in his debt and beholden to him. War and men's participation bestowed on them status and prestige. Society owed them thanks and was obliged to show gratitude for their "sacrifice" every day. And the barracks turned into the domain for shaping and socialising men.

If a man is moulded, trained and his role as a man strengthened in this structure, he will forget his own self. He will forget so much that he will not even realise that he is being oppressed as an individual and his personality is being destroyed. He loses his own will and many a time lets go of his mind or even his conscience under the orders of an officer.

A man whose masculinity is formed in the military is no longer an individual, but a cog in the wheel of a deadly mechanism. As he becomes a man, he forgets that he ever was an individual.

Another factor that strengthens this mechanism is an effective use of a militarist social image and system: In England at the beginning of the 20th century, a group of women went out into the streets waving white feathers at men who were not doing military service. The white feather was a symbol of cowardice. Men who did not enlist were considered cowards by society. With their gesture of scorn those women exposed men who did not join the military.

If women had given roses to these men!

For an equal and free future, a practice of avoiding military service is essential. It is safe to assume that the development of universal human rights did not originate from military organisations and armed conflicts.

Halil Savda





Military parade in Turkey
Photo: Timo Vogt

The level of development of our societies in terms of peace, equality and freedom and the internationally agreed institutions and conventions are the result of the work and achievement of a civil democratic struggle.

Those who attribute the achievements of equality, peace and the libertarian development of societies to armies are lying. The right to life and integrity is one of the most fundamental rights, and escaping from the military is crucial to protecting this right.

Militarism manifests and reproduces itself throughout history in two ways: Firstly, as a political equation of power and the military. In this case, the army is either in power itself or has decisive influence. In societies with developed democracy, the military's influence on politics is limited and not visible. In less developed societies such as Turkey, however, the military's influence on politics is visible.

Secondly, reproduction in everyday life. This form exists in underdeveloped countries as well as in highly developed societies. A man who has not done military service is not considered a man. There is a discourse in which the soldier is declared a "hero" who is "altruistic, self-sacrificing and brave". It is then said: "And what if you don't join the army, if you run away from the military, if you don't serve? Then you are a coward! You won't get a girl."

This language is very effective and metaphorically permeates society. In Turkey, a slogan says accordingly, "Every Turk is born a soldier!" In the army, fighting and wounding are canonised and rewarded with medals.

"Martyrs do not die and the fatherland, the mother, is indivisible". Home and military service are equated. Where there is a homeland, there is military service. The converse is also postulated as true: If there is an army, the homeland is secure and exists; if the army is strong, the homeland will be secure and powerful. This is found again in the following slogan: "A strong army - a strong Turkey!" And the soldier who died in the war is glorified, eternity beckons: "Martyrs do not die, the country is indivisible!"

This is precisely why the homeland is closely linked, almost identical with military service. And this is compulsory for all male citizens who have reached the age of 20. Those who do not comply are subjected to a series of criminal proceedings.

I joined the army

In June 1996, I reluctantly joined the army. I had to go, as a man and a citizen in Turkey I had to become a soldier. While I was moving into the barracks in Manisa, I was looking for a way to live with this state and its traditional society despite everything.

For a fortnight, hundreds of people had to march and drill: "Stand still", "turn right", "turn left", "go", commands shouted across the square. Each time during the roll call, the slogans were "fatherland stands by your side", "every Turk is born a soldier". All the slogans were either directed at women or at Kurds. All groups and people who were not Turkish and not male were targeted. We would be sent to Şırnak and Diyarbakır to make these places Turkish!

There was a roll call at least four times a day. Hundreds of men stood side by side in rows and were counted. Every time we sat down to dinner, a prayer was said. We were ordered to clean at least once a day. We picked up twigs or cigarette butts. The days were monotonous and boring. This went on for a fortnight.

I went to the barracks infirmary. Since childhood, I have had a bump on my head almost as big as a ping-pong ball. From there I was sent to the military hospital in Manisa. A few days later, I was transferred to the GATA military hospital in Izmir. I underwent an operation and the bump was removed. I was treated for 21 days.

During this time, about ten other soldiers were treated in this hospital. Most of them had been injured in clashes with the PKK in Kurdistan.

Among them were some who had limbs amputated in the hospital. But they did not stop blessing the war even after that. Maybe it is their way of coping with the price they had paid. How else could they survive?

One has lost his eyes, he can no longer see a flower, the woman he loves, a table or a street. Life will henceforth be dark for him. How can a person live in this way? The price he is paying is high and he is aware of it.

Another person does no longer have an arm. He will no longer be able to touch anything he loves. Yet another one lost both feet. These soldiers don't know that the so-called homeland has lost limbs... The homeland is no longer there.

Maybe if these men had had a choice, they would not have joined the military. But they did not have a choice and they were damaged when they did the service and now they will be damaged forever. It is a haunting and terrifying image, a testimony to what war means in Turkey.

After 21 days, I was taken to a health examination board in GATA. They ordered me to rest for 20 days. I came back to the barracks in Manisa and was off duty there, with no drill, no training. I sat in the clubhouse and dining hall in the barracks for 20 days.

After two months they gave me boots, sports and military training were resumed. Once again military hymns were played, racist shouts were heard and orders given aiming at destroying the will. After 75 days I received a marching order and a short leave for transfer.

I never returned to the barracks!

I did not follow the order. I would no longer do military service. I didn't follow the marching orders after leave and didn't report to the new barracks. Years later I was caught.

In November 2004, I was caught and taken to a military barracks with my hands tied, this time to the Tekirdağ/Beşiktepe barracks. Nine years had passed.

They brought me a uniform and boots. I said, "I am a conscientious objector and will not wear a uniform." They replied, "You have to wear it." I replied, "I will not wear them."

They took me to the company commander's room. He looked at me and said, "Everyone has to do military service, you have to do it, too. If you don't put on the uniform, I will make a report and send it to the military prosecutor. Then you will go to prison." His voice was soft and gentle.

I answered him, "I am a conscientious objector. I am against war and I don't want to be involved in any military organisation. That's why I don't want to wear a uniform. I will not put on the uniform even if I am sent to military prison because I am a conscientious objector."

The commander was sitting at his desk. I was standing right in front of him. After a while he said, "Put on the uniform. I will put you out of service, then you don't have to train and you don't have to work. But put on the uniform and sit in the casino." "I'm not in uniform," I replied. Then he wrote a report.

Commanders came and gave me new orders every day: "Get up, go to physical examination, cut your hair, etc." I didn't follow any of those orders.

Disciplinary prison

They sentenced me to seven days' disciplinary detention and took me to the military detention centre at Tekirdağ Central Command. There they put me in a solitary cell. It was cold and there was only one blanket. I was wearing a coat, but they took it away from me. The gate of the prison faced the sea. The door of my cell was locked and was right at the outside gate. The wind that came from the sea blew right towards the cells. I was cold. I asked for blankets and pillows. I did not get them. The prison guard, a high-ranking sergeant, answered me, "If you get cold, you will wear the clothes." I never wore the clothes.

I stayed there for a week. Then they took me to the Çorlu military court, where I was arrested. I stayed in the military prison for about a month. At the beginning, there was the same ceremony: "Cut your hair" - "I won't have my hair cut" - "Wear the uniform" - "I won't wear the uniform" - "Stand up" - "I won't stand up".

After a month, on 28 December 2004, I was taken to the military court. Conscientious objectors and anti-militarist women from Istanbul



*Former prison in Sinop
Photo: Rudi Friedrich*

came to the trial. I explained in detail my reasons for being a conscientious objector.

It was the first time I saw other conscientious objectors and anti-militarists. They came to support me. We have been friends for years and I still meet most of them.

That day I was released but taken directly to the military office in Çorlu. There they gave me a marching order and said, "Report to your unit in 48 hours". Then they let me go.

I did not follow the marching orders. I went to Istanbul with friends instead. Since I didn't report, the military decided to get an arrest warrant.

I tried to be visible like all other conscientious objectors. I did not hide. I became a member of the Istanbul Human Rights Association, and later a member of the board. With a conscientious objection committee and the local committee, we established a platform for conscientious objection in which many local parties and democratic organisations participated.

My trial was reopened when the Supreme Military Court overturned the verdict. I attended the trial at Çorlu Military Court in December 2006 because I wanted to make the conscientious objection visible. I was arrested again and sentenced. Two months later I was let out and handcuffed and transferred to the Tekirdağ/Beşiktepe military barracks.

And again the disciplinary prison... It was the same cell and February. In the middle of the night they sent a 20-year-old boy to me in the cell. His legs had been bandaged because they were sore and swollen. The cell was so small that he could only crouch down in a corner when I lay down. I gave him my blanket, said, "Lie down, lie down". I went to a corner of the cell. I had already been cold with a blanket, and now I did not have any.

The young man's name was Ferhat. He came from a nationalist family loyal to the state and enthusiastically joined the army. There he was beaten by officers and subjected to abuse. What he had hoped for he did not find there. When he received a marching order, he did not return to the army. He was caught sitting and drinking with friends. In Çorum, where he lived, he was stabbed in the leg with a knife.

After his leg was bandaged at the hospital, they kept him for a week. The bandage was not changed. I called the guard: "Ferhat is in pain, his wound is inflamed and swollen. He needs to go to hospital." "There is no commander here," the guard replied.

I asked for painkillers, but there were none. He groaned and lay there until morning. In the morning I called the guard again. Then the director of the prison, a sergeant major, came. I explained the situation to him. Around noon they took him out of the cell. He smiled as he left the cell. I hugged him, "Take care of yourself, you will be fine." He thanked me. I did not see Ferhat again.

I was not in uniform and had not received a shave. As a civilian, I was not subject to military order. They had no right to force me. Turkey had signed the European Convention on Human Rights as well as the Universal Declaration of Human Rights. Both conventions guarantee freedom of conscience and expression and prohibit ill-treatment. However, Turkey did not respect the treaties.



I was to be forced to comply with military orders. When I refused, I was beaten and insulted. I was arrested four times and released each time. Each time after release I was transferred to the barracks again. In total, I spent 18 months in the military prison.

Before me, Osman Murat Ülke and Mehmet Bal had suffered similar treatment. After me, Mehmet Tarhan, İnan Süver, Enver Aydemir and other conscientious objectors were subjected to similar treatment.

*Military parade in Turkey
Photo: Timo Vogt*

Turkish armed forces become a professional army

The transformation of the army into a professional army has gained momentum. This is a new situation. The state is planning to professionalise the army.

In the neoliberal West, there has been a history of professional armies for a long time. By now, almost all of these countries have professionalised

the army. A society committed to neoliberalism and its values is developing this form of military. Competition, the market and individualism are in the foreground. A different form of recruiting soldiers is now taking place there. For the Turkish army, however, this is a new development.

Two examples are worth noting:

1. Sweden: the Swedish army sees itself as a peacekeeping and auxiliary force. The aim is to create peace and bring solutions in crises and war zones. Those who join the army are therefore expected to help solve crises and bring peace.

2. England: here, a person who joins the army is promised they will acquire leadership skills as well as the ability to use weapons, and experience adventure.

In both cases, the military markets itself like a business. It tells people: you have the freedom to choose and it is you who decide. As a result, the responsibility of the state and society towards members of the military diminishes. Now you are like an employee of a company. It is your own decision to join the military. Being accepted into the military is like a reward: "Be part of the community and feel you belong."

In both countries, we recruit mainly in poorer regions. Poverty is synonymous with exclusion from society. The way through the military is shown as a way to participate in society: "Come to us, stay away from gangs, alcohol and drugs, be part of the community and feel where you belong."

If Turkey abolishes forced recruitment to defend the homeland today, it will inevitably change the future. In a professionalised army, the poor are the target group for recruitment, as in the two examples given.

But still military service is a chore. Thus, campaigning against the military continues to be of great importance. Demilitarisation and peace cannot be achieved without anti-militarist campaigns. Even if the number of soldiers is decreasing worldwide, the arms industry is getting bigger and deadlier. In this respect, an anti-militarist stance and the practice of conscientious objection are indispensable. ■

It all started with the Gezi protests

My name is Mertcan Güler. Although I knew nothing about it when I was a child, I already had the notion that I did not want to enter the army. I remember telling my grandmother at the age of six that I would not perform my military service. I was already afraid at the time. My grandmother answered: "When your time comes, there won't be any more conscription anyway." This was over 20 years ago, and conscription is still applied in Turkey.

In school, we had to sing the national anthem and recite the so-called "Our Oath" (*Andımız* in Turkish) every Monday morning before classes and each Friday evening after classes. The Turkish national anthem and oath include fascist elements. The first three sentences of the oath state: "I am Turkish, I am righteous, I am hard-working". Through constant repetition, the Turkish State manipulates the children with militarism and fascism throughout the period of their education. It indoctrinates them, it is a kind of brainwashing.

During my graduate studies, the Gezi demonstrations occurred in 2013. My first political involvement and significant changes to my ideas began during this period. In the days that followed, other videos, photos and reports on police terror in Istanbul were shared online. What we saw was terrifying. The violence and terror against civilians was pervasive. What moved us, and others, was the aggressive action of the government against ordinary people and even against those without any political motivation. They were doing this only to realize their own desires. The Islamist-led policies of the AKP government are the reason as well as my increasingly critical perception of Islam. We not only saw but also experienced how brutal and fascist Islam can be when it comes to power.

Berkin Elvan¹, a fifteen-year-old child was mortally wounded in the head by a gas grenade and later died in the hospital. This was too hard to take for us. We could not imagine that State terror would go that far. We rallied against it. We wanted to march over to the AKP building and demonstrate there. Again, the police responded violently. In doing so, they proved they were not there to protect the people, but to protect the AKP. We fled the tear gas grenades and the plastic bullets because the police were deliberately and intentionally targeting us. Eventually, we found shelter in a house and hid there until peace returned. As there was the risk of being followed, we each went home by a different itinerary. I kept looking behind, feeling insecure.

Afterwards, I understood that I had to resist in order to defend my fundamental rights such as freedom of expression, of association and of reunion both in order to survive and to exist. I began researching and exchanging information with Kurdish and Alevi friends from school. I learned what they had lived through, why they had suffered. In the face

Mertcan Güler



1 <http://www.kedistan.net/tag/berkin-elvan/>

of such injustice I found it impossible to remain silent. I had to do something. This no longer had anything to do with origin, religion or minority. It was a question of humanity.

I do not want my body to be found in a barrack because of my political opinions. I will not feed the Islamist government with rubbish about “martyrdom”. Why should I have to kill anyone? Why should I fight for the “Homeland” when the Homeland wants to expel me? Why is it “my Homeland” if I’m not even allowed to say what I think, and if I don’t have the right to exist? I refuse military service because of conscientious, political and religious reasons.

Conscientious objection is still not recognized as a right in Turkey, although it is a human right. Those who refuse to serve are first sentenced to a fine, then imprisoned. If you refuse military service, when you stay in a hotel, when you travel between cities or when there’s a routine ID check on the street, the police ask you to sign a document forcing you to show up for military service within the following 15 days. You are not allowed to work anyway. The Turkish State forces you into a state of civil death if you refuse to be a soldier.

This is a wound in Turkish society. Because the State and the Erdoğan government praise violence and militarization, people consider military service as a symbol of virility and patriotism. But I say no to that. I call on the new generation to refuse the military service, even though this is not an easy road. ■

I refuse!

I will start with the first day when I was 19 years old. I was sitting in the garden and got a visit from a talkative friend. He told me that we had to show up for the physical examination. I told him, "I won't go to the military, you can go." I can't explain why I wanted to refuse even then, but there was always a voice inside me telling me that something couldn't be right with the military service.

My friend was stunned and said, "Rebel against the state! They will make you disappear! Where will you go?" He said many foolish things when I talked back at him. At last he turned to my mother and said, "Aunty, you would also be in trouble, they will pressure you to deny help and support to a criminal."

Onur Erden



Guilty?

I am supposed to be guilty if I don't join the army. But those who try to force me into the army and give me a gun are considered not to blame.

My mother said to me, "My son, if I, at my old age, had to go to prison because of you, this would be as if my back were broken." So it was clear to me. Even if she had sent me to my death at that moment, I would have gone.

I went to the physical examination and was declared fit. After a while, it was time to join the military. 2006 I was sent to the barracks in Manisa.

That's when the nastiness started. Every day they complained about me and the friends I had made in the army. My friends were listening to Ahmet Kaya (a Kurdish Singer) and spoke Kurdish! I can't speak Kurdish myself, but my friends spoke Kurdish. Some soldiers complained that it was a terrorist language.

A friend of mine couldn't help himself and asked, "Commander, if an Argentinean comes here, can't he speak his language if he doesn't speak Turkish?" The commander replied, "He has a state. According to that, those who don't have a state can't speak their own language." A completely different idea.

One day I was standing in the queue and the corporal came up to me. He said, "You now have a week's punishment/guard duty." I retorted, "You can't just punish me as you see fit. On what basis are you punishing me? Are you a judge? What is my fault?" "You will do as I say." "No, I will not comply."

That night I was supposed to stand guard. But I didn't get up. The corporal tried to wake me up and to force me to go on guard duty. I argued with him. We argued for 10 minutes. He told me, "If you don't get up, I will hit you next time." I said: "Try it!". Then he said "I'll see you tomorrow." Then he left.

I refuse!

The next day he complained to the corporal. He called me in. My friends warned me before I left: "Don't be silly, we are only here for 28 days. Why don't you push the guard?"

The lance corporal asked me, "Why are you disobeying the order?" I replied, "I have done nothing to warrant punishment." He replied, "I will cut off your head. If you are punished, you have to obey the order. You have no right to resist."



Military parade in Turkey
Photo: Timo Vogt

The lance corporal said he knew that my friends had said, "Look, we are only staying here for 28 days in total." I didn't go into it. I silently thought, yes, I will leave and never come back. But then a lieutenant came. He instructed me, "If my lance corporal punishes you, you have no right to appeal. You cannot question the order!"

He continued: "He will give the order. And if you appeal against it, it will be passed on to the commander-in-chief!" It then went through my mind, so if he ordered me to kill myself, I would have no right to appeal.

Then I thought silently, "mum, I'm sorry. I'm really sorry, but I can't bear this injustice any more."

The day came when we were transferred. I was able to go home. But when the day came for me to go back to the military, I didn't go. Another friend of mine did not go either.

Then the other families gathered and came to our house. "Onur is setting a bad example for our children. Because he doesn't go, our children don't want to go to the army either." My mother again started to harangue me and beg.

Our neighbourhood is far-right. Actually they have a Kurdish background, they are either families from Muş or Afrin, but they became more Turkish than Turks.

Again, I couldn't disappoint my mother. I took on the neighbourhood, but I couldn't fall out with my mother! Maybe this was my biggest mistake, but what could I have done?"

I was supposed to go to a place called Tekirdağ/Hayrabolu. It was the first time I had heard the name. Did such a place even exist in Turkey? And after I was there, all the bullshit started again: "Fatherland! I sacrifice myself for you, every Turk is born a soldier!" Brother, I was not born a soldier!

"You take the gun!" "No, I'm not taking it!" "You take it!" "No, I'm not taking it". Then beatings!

After two months they took me to hospital. Before I was transferred there, I had such a fight with the corporal that the soldiers next to me started shaking. Everyone was afraid of him, he struck mercilessly.

But I was sure I would not endure this cruelty any more, not even for my mother's sake. I was not allowed to leave the barracks to go to town. So I planned to be referred to the military hospital or the hospital and then escape. But I had to wait for the referral to the hospital.

Two months passed, but it was still not my turn. I went to the staff corporal and told him that I wanted to go to the hospital myself and not wait for transport. We argued. After a big argument, I got permission and left. I did not come back.

Once again my mum, again my relatives, again the people from the neighbourhood, they all descended on me. My mother said something so trenchant to me that it would have been easier for me to have died than having to hear these words: "My son! I always wanted you to join

the army and become a martyr and go to heaven and take me with you!" Look, the sadness of her words!

At that moment I lost my faith in the love of God or heaven. Actually, I believe in the existence of God, but not in a God who wants war, but in a God who wants peace. I don't believe in the God of hate, but in the God of love.

Others said there was no escape from death or military service. It is impressive! Who made these people say such things? I am both angry and sad.

On the one hand, I also see these people as victims of this system. It is not easy to stand alone against a whole system, even an armed system. When there is talk of soldiers, people start trembling. They say they will make you disappear, oh huh. In short, they were very afraid of the military.

When I first said the word conscientious objection, some people went crazy: "Shit, get lost, what is conscientious objection?"

As a conscientious objector in the military

I consistently refused military service and tried to live a life like any other citizen. But it was difficult, almost impossible.

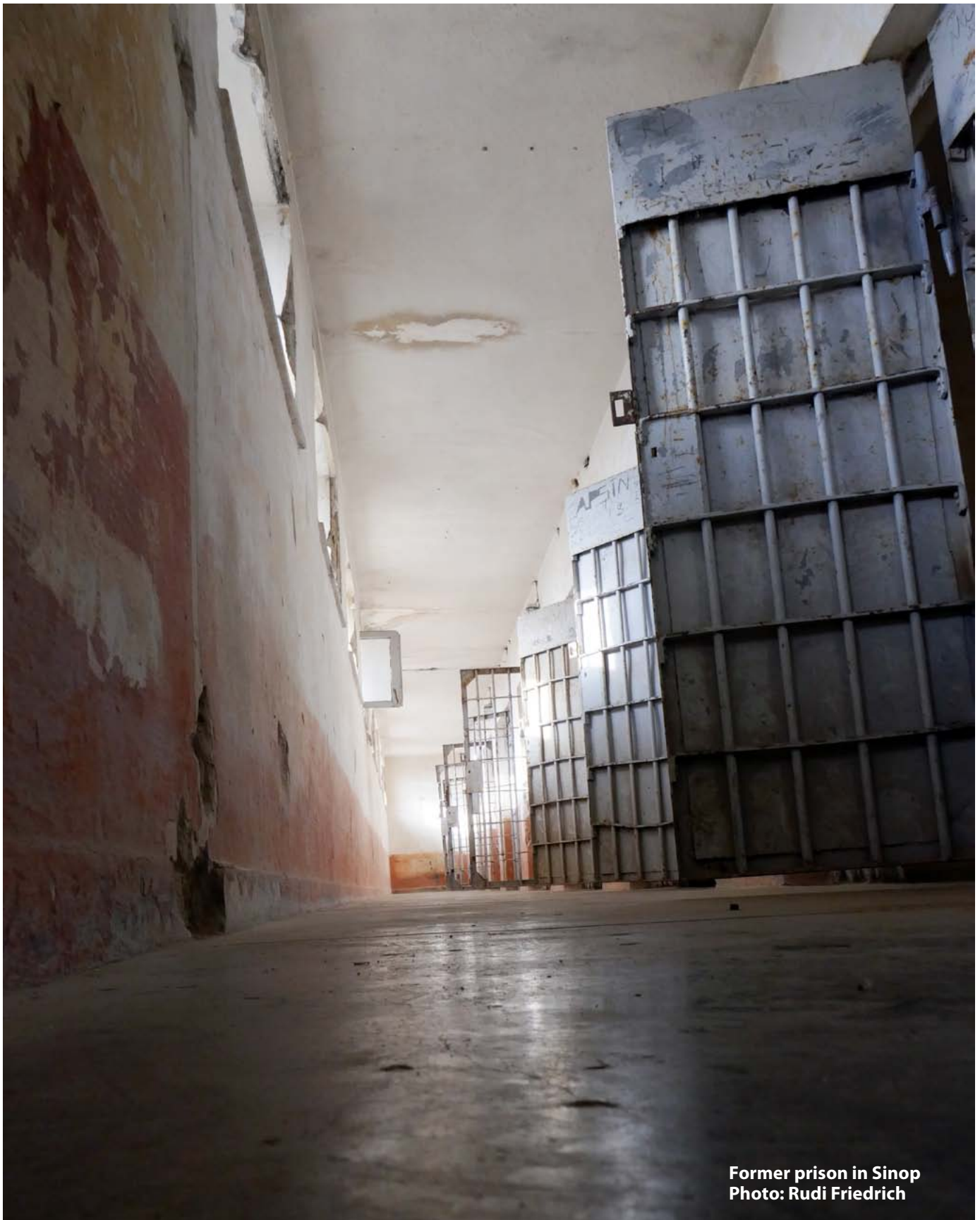
I went to the café and discussed military service with people. But they wouldn't let me. A few people dressed in civilian clothes came and asked me to show my identity card. I said that I had it at home. "What is your name?" "Hasan." "Don't lie, right, Onur Erden?" I jumped up but immediately they threw me on the floor. Three people who were beating me put me in the back of a police car and sat on me. They took me to the police station, undressed me and left me dressed only in my underwear.

I had hidden 10 sleeping pills in my underwear. If I was caught, I wanted to take them and die to avoid being tortured. I suspected they would torture me.

I took the pills when I got the chance. Afterwards I fell into a kind of stupor. I was not asleep, but I was not awake either. In this state they handed me over to the gendarmerie. The gendarmerie put me in the back of a car, one soldier on my right, one on my left.

They took me to hospital where I was treated with an infusion. Then they put me to bed for a while. Then they took me to the gendarmerie station and put me in a cell. When I came to, I took the bed sheet, went to the toilet, tied the sheet to the window and put it around my neck. I was overpowered. When I woke up again, I was surrounded by soldiers. They removed all the sheets from the cell. The commander told me I was just bluffing, fooling them....

They called my father and said that I had hanged myself. My father told them he didn't care. The torture didn't destroy me, but those words from my parents destroyed me.



Former prison in Sinop
Photo: Rudi Friedrich

First they took me to the military unit. There I had the opportunity to run away and climb to the third floor of a building. I looked out of the window and thought: What if I don't die then, but survive? While I was still thinking about the fact that these villains would torture me despite my injuries, one came from behind and caught me.

They pulled me in through the window. I just thought, what is going to happen will be even worse.

I was in their hands for about five days and did not answer any questions. I did not eat or drink anything. They arrested me and took me to the military court. The prosecutor and the judge went crazy because I did not respond to them and did not do what they wanted. The prosecutor threatened me with electric shocks.

A military car came and took me to prison.

Sometimes I wonder, what is military service? Military service means war, war means killing, rape, violence, the loss of people's limbs, arms, legs and eyes, means orphans. I will not be among those who claim that the military system has created something good for the world, something better than violence and rape.

I wonder what militarism is doing to this world. I cannot imagine any other scenario than the one I am experiencing myself. In the civil war in Syria that started a few kilometres from our house and after bombs exploded in our district, the bodies of some of my friends and their families were picked up in pieces. Unfortunately, 14-year-old Fatma Avlar, who was hit and crushed by a rocket fired 100 metres away from us during the Turkish army's battle with the YPG, is the concrete painful proof that I made the right decision.

They handed me over to the military prison. At the door, selected butchers were waiting for me. "He won't do what we said," they explained and handed me over.

They wanted me to stand at attention and bow down. I didn't. A soldier grabbed my hands and forced my head down. I lifted my head up again. He said, "You'll see".

They dragged me by the arms and took me into a room. 8-10 soldiers beat me, some with a baton, some with a kick. Some with their fists. This went on for several minutes. I had not eaten nor drunk for five days. I was very weak. I fell to the ground and fainted. But they poured cold water on me and continued with the beating.

They wanted me to undress. I didn't. They got angry and started hitting harder. I did not answer their questions and they beat me. They tore off my clothes to rape me with a baton. One soldier grabbed my hands and pushed my head between his legs. Then a soldier came in and spoke to me: 'If you do what we say and answer the questions, I will take you to the common room.' When I did not do what he said and continued not to answer their questions, they called the commander. A soldier

left and came back after a few minutes and declared, "The captain says: "fuck him!"

They started banging my head against the wall. My eyes went black, I couldn't see anything. Then they took me somewhere and put me in a bed. By the way, they had put a uniform on me beforehand. After a while I could see again, but my eyes and head hurt a lot.

They came again and took me away to cut off my hair. After that, a sergeant beat me. They took me out into the fresh air and put a glass of cold water to my mouth.

I couldn't resist and drank the water. After this had gone on for a few times, I said that I would not speak and would not do it. "If you don't do service, they will give you a 10-month prison sentence." I told them even if it was 10 years, I couldn't do it.

July 2006, the first court sentenced me to 12 months imprisonment and reduced the sentence to 10 months with good behaviour, i.e. 6 months 20 days would be half to get out. I asked for a paper to appeal. They wouldn't allow it. "You are already guilty. Who are you going to appeal to? You are a traitor to the fatherland."

During my time in prison, I was subjected to violence and insults. I had never been in prison before. Every morning they forced me to exercise and kicked me. One day I went to the infirmary and told the doctor that they were making me exercise and I was being beaten. My arm felt numb, but who are you telling this to? The doctor is also a soldier.

He called the other soldiers and said "that now they should let me train more so he can see who is complaining to whom."

In short, every moment of the six months and 20 days was worse than death, but it passed.

After I was released on parole, they gave me a report that they could not transfer me to the barracks because it was outside the provincial boundary. I would have to report to my unit within a day, as required by law.

Hunted as a leper

I did not know what to do. I did not know any organisation to make my voice heard. I also did not know people like me.

The military unit was in Tekirdağ and I had been in the military prison in Çanakkale. I got on the bus and went to my hometown Hatay. While doing so, I thought, how can I fight, where can I get support?

I didn't have the opportunity to get a lawyer either. Which lawyer would dare to take on such a case? I did not know.

I came to Hatay, but I became a leper. Everyone harassed me every day, my family, the people around me, insults, abuse, they excluded me.

I could not go home. I slept in mosques and empty houses. I tried to stay away from those who knew me, but almost everyone knew about me: everyone knew everyone.



*In former prison in Sinop
Photo: Rudi Friedrich*

One day a police car came to a carpentry shop where I was sitting. I started to run. They chased me, but I managed to escape and left the city. I spent the day in the fields.

On my passage across the countryside, on another day when I was sitting at a sawmill run by my aunt's husband, I saw the police car coming. Again I ran away. They pulled out a gun but with people present they could not shoot. I managed to escape again.

Cursing, they threatened my aunt's husband, "If they let him come here again, we will arrest you right away."

The police also went to others and told them to help the state. Such criminals must be caught. I could not understand what crime I was accused of to have committed.

I spent some time outside the city, in the fields or in the cemetery. One day, when I was outside the city in the cemetery, I noticed someone drawing near fast. I started to run. Then a plainclothes police car stopped right in front of me. Three people got out. I turned around and started running. This time they opened fire, but they couldn't catch me because there were thick trees in the cemetery. Once again I managed to escape.

I realised that I could no longer stay in this city, even in this country. I asked a friend who felt for me and asked him to get me a fake identity card. After a while I was able to get it and go to Northern Cyprus with it.

I was planning to go to Southern Cyprus via Northern Cyprus to apply for asylum. But a friend warned me: "They will torture you. They will force you to burn a Turkish flag and film you doing it. They will tell you if you don't do it, we will deport you to Turkey and there you will be tortured even more. They will transfer you back to Turkey."

I then decided to stay with my friend in Northern Cyprus with my fake passport (identity card). I tried to sell roses on the street. This went on for a while. But one day, for some trivial reason, we had a fight with a

friend. He threatened to expose me. So I could no longer stay in North Cyprus.

I went to another county near my hometown and started living under a false identity.

One day my mother called me and said that the TV remote control was defective. I went and had it fixed. When I left the house again, I noticed two policemen in plain clothes. I turned around and ran, but two more people came out of a corner and caught me. It was in March 2009.

They took me to the police station with beatings and handed me over to the gendarmerie. There I was insulted and put in a cell. After that I was taken to the military unit in Tekirdağ, later to the military court and to the prison of the 2nd Corps of Çanakkale/Gelibolu.

When we arrived there, the soldiers who had brought me took off my handcuffs to hand me over to the other soldiers. I took the opportunity and ran away. I ran into the school, which is next to the military unit. I jumped down from a wall. The sergeant who was chasing me pulled out his gun and said, "Stop, Onur. Or I will shoot you."

I said, "Shoot. Then I will escape torture." After I said that, he put the gun away again. I was surprised, but I wished he had shot because I had to experience worse than death afterwards. I kept running.

The sergeant stopped a person on a scooter who was on the road and caught up with me. I wasn't able to run anymore. So they got hold of me. They threw me to the ground.

In court

In the military court, a soldier stands in front of me instead of a judge. Soldiers on the right and left with G3 rifles. I explained: "I am being tortured in my own country. How long will the soldiers do this, those who are supposed to protect us? I was treated inhumanely. They threatened to rape me. They wanted to take my money. Endless violence and insults."

I told this to the soldier who was sitting there as a judge. He said if you have a complaint, write a petition to the military prosecutor. I did.

When I arrived at the prison, the soldiers were waiting for me and immediately took me to Major Mustafa Inam's room. He told me, "You have complained?" "Yes." "Who are you complaining to. Torture is a normal thing and you are a criminal. Haven't you heard about Guantanamo, they torture much worse there. We will torture you even more now." They threatened me with more torture. I was no longer afraid. "From now on I will complain everywhere and over and over again." "I understand," he replied, "you have nothing left to lose." "Yes, you have left me nothing more to lose."

Now the Major said, "I promise you that from now on no one will touch you. Stop complaining about us." "No," I replied, "I will not give up."

It went back and forth, there were threats and finally I said, "Take me to the cell. I'll think about it." So I got rid of that, at least for a short time.

Any military system is cruel. Once in my cell, I continued receiving threats from other prisoners.

One day the major came to my cell and said that if I kept up my complaint, he would deny everything and pin the blame on other soldiers. Who knows what will happen to these conscripts then. Then the soldiers asked me not to complain any more, "we are just doing our duty, we are just carrying out orders". But that doesn't change anything. In fact, they are soldiers by choice and they like to torture, otherwise they would not be able to do it.

I wrote the petition and put it in my pocket to hand it over to the prosecution. But on the way to the court, the soldiers searched me and found the petition. The major said he would withhold the petition. Actually, everyone knows how it is, but I wanted to resist. Then I was in court. The trial was held and I was sentenced to 10 months in prison and provisionally released.

Now I sent my petition from the outside to the military prosecutor of the 2nd Corps and the Supreme Court judge. I also sent the letter to the Prime Minister. At the same time I sent emails to some news portals and went to see a lawyer in Atakya. I could not find any journalists who could criticise the military system.... Or I sent the emails to the wrong journalists.

I told the lawyer that I wanted to exercise my right to conscientious objection, that I had been in prison twice and that I had been tortured. He replied to me: "You will not find a lawyer to defend you because they will be charged and imprisoned even if they seek a trial."

He asked me if I knew what asylum was, adding, "In short, the only way is to flee Turkey."

Escape to Cyprus

I then quickly went to northern Cyprus and fled from there to southern Cyprus. From December 2009 to July 2013, I tried to be recognised as a refugee because of my conscientious objection in South Cyprus. But I was rejected. So I had no chance to live there as a conscientious objector.

I lived illegally in South Cyprus for another year. For a while I had no accommodation. Supported by an Eritrean friend I had met in Cyprus, who is also a conscientious objector, I settled in a place (boarding house). But it was a big mistake - for someone who was living in the country illegally.

During that time I learned that militarism in Eritrea is as bad as in Turkey. I cannot imagine militarism being a good system anywhere in the world. In some countries, military service is voluntary and professional, but militarism kills.

It wasn't long before the police came to the boarding house, raided us and arrested me. In South Cyprus, all the courts had rejected my application.

The South Cypriot police not only arrested me, but also confiscated all the documents I had. They took me to a solitary cell in a police station.



*Former prison in Sinop
Photo: Rudi Friedrich*

Then I heard about the establishment of a conscientious objection association in Turkey. This was a positive development and gave me hope. Now there would at least be an organisation that would understand me and was in Turkey. It was only later that I learned about the other conscientious objectors who had existed in Turkey, like Tayfun Gönül. In my opinion, there was no association in Turkey until 2013.

After I was detained for 20 days, they deported me to Istanbul via Jordan in July 2013.

Deported to Turkey

There they arrested me and locked me in a room because according to customs I was wanted by the military court. They took me to a police station and put me in a cell there.

The next day I was taken to Kasımpaşa military prison (Istanbul). With the help of conscientious objector Oğuz Sönmez, lawyer Davut Erkan was organised. He was waiting at the entrance.

I was very worried. I could not get over the experiences I had after entering the military prison. In Cyprus I had been treated for my anxiety and took medication. But that had not made it better, in fact worse.

Thanks to the lawyer Davut Erkan, it was the first time that I was not tortured in a military prison. But the systematic repression never ended.

After a week, they took me back to Gelibolu Prison. There I was in court again. Unfortunately, the judge was also a conscript soldier. He said that he was actually "a civilian judge". "I serve the state, but they also want me to work as a judge in the service of a soldier." He continued, "I understand you, but there is no law under which I can let you go. If you agree to do military service, I will not arrest you. And if you complete your military service, I will drop the case." I refused.

I went back to the military prison. Again they greeted me at the door, but there was no physical torture, this time there was psychological torture. The so-called body search is done by undressing and bending down. But this time they were more merciful with me. For example, two soldiers held a bed sheet around me.

Before, this search had been violent in front of many soldiers. They also undressed me by tearing off my clothes. They sounded, "You have such a nice ass." This time the treatment was humane, so to speak.

The struggles of the conscientious objectors and the actions of the Conscientious Objection Association had an impact here. There had been some changes in the military prison. Excessive sentences were refrained from, torture was banned in some places, though not everywhere. The compulsion to wear a uniform was abolished except in certain circumstances, and compulsory training or work was also stopped until further notice.

But there were soldiers inside who went crazy when they heard the word conscientious objection. I said I wanted to go to hospital. They replied, "You refuse to do military service? And you want to go to hospital?" I applied for an identity card. They replied, "You are not doing military service? And you want to have an identity card? There are people who say you don't deserve citizenship of this country." I replied, "I am not enthusiastic about it either." After a month-long struggle in military prison, I received an identity card.

Vicious circle of persecution

In the meantime, the remaining sentence of the probation of my first sentence had to be dealt with. I expected the judge to add this to the new sentence as well. The judge said that he would convert the last prison sentence into a fine with a daily rate of 20 TL and assess my imprisonment with 100 TL. Thus, the state should then pay me 3,000 TL in arrears. "They have imprisoned you for too long," he said. He could deduct the fine I would still be given. I couldn't believe it. It was like a treasure.

At the next hearing he told me: "I can't keep you any longer. I know you won't do military service and so you will go back to prison. But now I have to release you." And so it happened. But they issued another marching order to report to the barracks within a day. While still in the military office I wrote on the document. "I refuse." The commander was stunned: "Why do you refuse?" "I cannot obey that order." After some back and forth, they let me go.

I returned to Hatay. Again the police came to my house and took me to the recruitment office. A report was made there and I could leave again.

The laws had changed in the meantime. Before, I was taken to the military unit in handcuffs. Now they took me to the military office, made a report and threatened me with prosecution if I did not report within two days. It was better than before, but the persecution didn't stop there.

Back in Hatay, I was saddled with family and economic burdens. I had problems finding a job. I thought of going to another city to get rid of the pressure and find work. So I went to Antalya. But then, in the summer of 2015, the gendarmerie came to catch me.

When I entered the director's room, everyone had gathered there and was already waiting for me. They told me that I was wanted for offences against the military penal code. I was supposed to explain it to them, but I already knew they wouldn't understand. If I told them I was a conscientious objector, they would reply, "What is that?" Then the police station and the military office would follow. I did not argue with the officials. Then I was released under the threat of referring the case to the military court. Another criminal case was opened. My job was terminated.

I made a few more similar attempts, but the police kept coming wherever I went.

After that, they came to my place of accommodation several times and took me away. I was also arrested on the buses several times, and additional criminal cases were opened. I could not settle anywhere in Turkey.

There were two criminal cases in 2018-2019, both of which ended in 10 months' imprisonment. The second final prison sentence could have been converted into a fine.

I went to an open prison in Kırıkhan (Hatay) in December 2018. After 22 days, I was released on parole on condition that I work in a hospital and report to the police and provide a signature.

When I was working in the state hospital I started looking for ways to escape from the country. I found a way, but had no idea what lay ahead.

Escape to Germany

I decided to flee to Germany, which I thought was the safest country. In 2020 I reached Germany, but I was in a miserable condition, physically and mentally. I knew that I could apply for asylum in Germany. But refugees have to live in a situation reminiscent of Turkey. My application was rejected.

I understood that opponents of war seem to have no right to live in this world. In fact, there is no reason for conscientious objectors having to declare themselves. Rather, reasons are needed by those who force us to be trained on weapons and learn warfare.

We cannot have a peaceful world by producing more and more weapons and bombs. The biggest criminals are the countries that go to war for their own interests and force innocent citizens to participate. No state has the right to force its citizens to do so. ■

25 years of solidarity with conscientious objectors from Turkey

Franz Nadler

Connection e.V.

How the world is changing! Resistance to military service has probably always existed, especially as desertion. Conscientious objection (CO), being the open rejection of military service, even beyond mostly Christian religious groups, began to develop no earlier than at the beginning of the 20th century, especially in countries of the northern hemisphere. The first right to conscientious objection took effect in Norway in 1921. In Germany it was introduced in the constitution as a reaction to the mass persecution and murders of opponents to war perpetrated by fascism in 1949. But also in other "Christian" countries it became more and more accepted, at last in Switzerland in 1992.

That conscientious objection could ever gain relevance in other cultural circles was still considered almost impossible in the 70s, when I was politically socialized. Today it is just the other way round. In Germany, there is nearly no such movement anymore after conscription was suspended because the majority of conscripts refused military service or were declared unfit and the military was professionalized. Now the question of conscientious objection is only relevant for some soldiers and reservists. In contrast, the importance of conscientious objection has been growing for years, for example in Islam-dominated Turkey.

Our history

In Offenbach we founded and established a counselling service for conscientious objectors in the late 1970s within the framework of the *Deutsche Friedensgesellschaft-Vereinigte KriegsdienstgegnerInnen* (DFG-VK), also because of our own experiences with the harassing examinations of conscience. This proved a welcome service that was gladly made use of. In addition, we were active in the anti-militarist peace movement. International co-operation with like-minded people has always been important for us.

When in Western Germany the procedure to be accepted as a conscientious objector was simplified we first concentrated on the role of the substitute service. We saw that this service only existed to meet the military service obligation, the conscription. At the same time this service is disenfranchised (forced) labour. Thus, it was clear that we also supported total objectors who refused the substitute service as well and were threatened with imprisonment because of it.

From the middle of the 70s we started to support groups and movements in other countries. At first we founded the *Working Group Southern Africa in the DFG-VK*, from 1990 on working as *Working Group "CO in War"*. In 1993 we founded the association *Connection e.V.* to strengthen

this international work. Since then the work on Turkey has been one of our main foci.

Broad solidarity work

By no means were we the only organization involved in solidarity work together with anti-militarists in Turkey. In the following I will give an overview of the different activities, work areas and approaches taken by a whole range of different groups.

Dual citizenship and “Substitute Payment” - still a problem

At the outset, we had no contacts in Turkey, and information concerning our subject was also rare. So first we collected everything that was interesting in any way. The oldest document in our archives is a decision of the Administrative Court of Bremen from February 1985. A Turk (dual citizen) living in Germany had sued so that he would not have to serve 15 months in the German army in addition to the 22 months of military service he wanted to do in Turkey at that time. His complaint was rejected on the grounds that Turkey had not signed the relevant Council of Europe Convention on Avoidance of Double Military Service. Due to the suspension of compulsory military service in Germany, this problem no longer exists. In fact, even the completed substitute service in Germany was also recognized by the military in Turkey as fulfilment of the military service obligation. Considering that over 3 million people of Turkish origin live in Germany: If they only have Turkish citizenship or are dual nationals, men of the appropriate age are subject to compulsory military service in Turkey. If they comply, they usually lose their jobs and some of them also lose their residence status. To alleviate this dilemma, the Turkish state had created the possibility to perform a shortened military



In Aachen.
Photo: Rudi Friedrich

service and to pay a high sum, which then benefits the Turkish military (so-called Substitute Payment). In 1985, it was still two months of service and 17,000 DM (about 8,500 €). In 2011, the amount was 13,000 €, currently it is about €5,000. Since 2012, there is no shortened military service any more, but a distance learning program of the Ministry of Defence. Since 1995, it has been calculated that 1.2 billion € has been paid in this way. Every year, some 30,000 men from Germany alone pay the amount. Even though all this has nothing to do with conscientious objection, we still have a large number of inquiries about this topic to this day.

Asylum of conscientious objectors from Turkey in Germany

The first conscientious objector from Turkey in Germany was probably Aziz Koşgin, who publicly refused in 1991 and set up a special counseling center for Turkish conscientious objectors (*Savaş Hizmetini Reddedenler Girisimi/SHRG*) in 1998 in the DFG-VK, in Übach-Palenberg near Aachen. The Turkish newspapers that reported on this were confiscated (e.g. *Devrimci Proleterya*, *Azadi*). We worked intensively with him for many years. It is noteworthy in this context that Aziz was not a Kurd like the majority of conscientious objectors in the following years, but a Laz (a Black Sea ethnic group).

After Aziz and until today, there has been no small number of Turkish citizens who have declared their conscientious objection, doing so partly with us, partly autonomously on an individual basis and often with local support.

Later Mustafa Ünalán became equally important; he publicly refused on January 23, 1996, in the Berlin City Parliament, burning his military service pass. He then set up a Turkish-language counseling center as part of the DFG-VK Berlin. And finally, Cemal Sıncı (an Alevi Kurd) founded a Turkish conscientious objection organization (*Frankfurt Savaş Karşıtları Derneği/FSKD*) in Frankfurt/Main on January 28, 1997, together with ten friends. Cemal was already politically active in Turkey and during his studies in Germany. He was the first conscientious objector from Turkey to apply for asylum and with whom we intensively discussed every step of his asylum process. The declaration of conscientious objection should be as public as possible. Thus, in February 1998, there was an overcrowded press conference in Frankfurt, at which, in addition to Cemal and his lawyer, members of the German parliament from the Social Democratic party and the Greens (Uta Zapf and Cem Özdemir) were present in support. The press response in television and newspapers was really good. Due to his manifold political activities, he was the first conscientious objector from Turkey to actually receive asylum in April 1998. Cemal is still active with *Connection e.V.*

One focus of the work with conscientious objectors from Turkey in Germany in the 1990s was to organize public refusals. Such a public

refusal took place for the first time in Frankfurt on May 17, 1995, with nine participants. This action was supported by *Connection e.V.*, SHRG, Working Group "CO in War" and the *Self-Organization of Civil Servants*. Not only was the action prepared together with the potential conscientious objectors, but in a seminar beyond a common declaration, which



1995 in front of the Turkish consulate in Frankfurt/M.
Photo: Rudi Friedrich

brought about intensive discussion on the topic. The photo with the refusers breaking (toy) rifles was a powerful symbol that was also widely publicized abroad. In the following years there were several more public refusals, some with considerably more participants, e.g. in Marburg, Dortmund, Essen (29), Saarbrücken (20), Emden, Hannover, Frankfurt (2002: 39), Kassel (over 50!). These were not organized but supported by us.

In the 1990s, probably between 200 and 300 people from Turkey publicly declared their conscientious objection to military service in Germany. Of those who sought protection here, most were able to legalize their residence over the years. Many of these actions were not only documented in the local press, often with large articles, but in individual cases also found resonance in the international press (Austria, Switzerland, France, Belgium, the Netherlands, USA, South Africa), and also in Turkey. Yes, there were considerably more conscientious objectors from

Turkey in Germany at that time than in Turkey itself. But this movement resonated there as well. As a result, there were also public conscientious objection actions in Turkish cities, e.g. in Istanbul in 1996. And lest we forget, there were also public conscientious objections in the Netherlands, Great Britain, Denmark and France.

Not all of those who publicly refused at that time did so only with a view to their asylum procedure. But most of them did, and the majority of them were Kurds. There were probably also some who believed the rumour that their participation in such an action would help them gain asylum. We emphasized again and again in the preparatory seminars that this is only true to a limited extent. Because: In Germany, conscientious objection is not a reason for asylum, and so we still have a lot of hurdles to clear when supporting conscientious objectors from Turkey in the asylum procedure. Contact with the asylum seekers is often very difficult, since they are usually relocated to remote asylum camps. The asylum procedure, and especially the recognition criteria, are so strict and complex that even specialists can hardly understand them. Often it is their lawyers who contact us. In some cases, courts not only from Germany but also from Austria, Switzerland, Belgium and the Netherlands contact us for information. And since many of the conscientious objectors from Turkey are neither granted asylum nor toleration nor the right to stay - they are deported. In these cases we try to mediate church asylum, or contact politicians and parliaments - and if it actually comes to deportation, we try to use our contacts in Turkey, so that the person in question has a contact person, for example in Istanbul, even if he is arrested immediately.

Conscientious objection in Turkey

For a long time we did not know that there were conscientious objectors in Turkey. It was only later that we learned about the first conscientious objectors, Tayfun Gönül and Vedat Zencir, in 1989 and 1990 respectively, and their declaration in the magazine *sokak* (street). Essential for us was Osman Murat Ülke, called Ossi. He was born in North Rhine-Westphalia and grew up in Pforzheim. At the age of 15, his parents put him in a "terrible boarding school" near Izmir in Turkey, from which he soon emancipated himself. After experiencing the extreme militarism of Turkish society, he decided to struggle against it. On September 1 (Anti-War Day) 1995, he publicly announced his conscientious objection in Izmir, burning his draft notice. With him was a War Resisters' International (WRI) delegation from five countries. In the following years he found himself in a repetitive cycle of conscription, criminal proceedings, and prison. He appealed to the European Court of Human Rights - and was proven right in 2006. The court called his fate a "civil death," awarded him compensation and demanded that the human right to conscientious objection,

now accepted at both the European and international levels, be accepted by Turkey as well. The Turkish state paid the fine according to the decision to the European Court but didn't legalize the status of Ossi. He is still living under the condition of "civil death".

We supported Ossi in many ways. Thus we had already invited him before his public refusal several times for traineeships and round trips to Germany (together with Aziz Koşgin and Christian Bartolf, 1993 and 1995) in order to ensure solidarity for him for his foreseeable imprisonment. In 1995, he was here for the International Day of Conscientious

Objection (the motto being: "Conscientious objectors need asylum!"). He was enabled to give a speech in German parliament, and a reception was held in parliament by Vice President Antje Vollmer (The Green Party), from which members of parliament/"experts" from the SPD and CDU distanced themselves, since conscientious objection was merely an "exceptional right". Through the *Central Office for the Right and Protection of Conscientious Objection* (Zentralstelle KDV) contact could be made with all parties in



Osman Murat Ülke
Photo: Rudi Friedrich

the parliament. Ossi and Aziz brought their concerns to a meeting there, and the parliamentarians then became really active, for example Thomas Kossendey from the CDU. Of course, in practice, they too hardly achieved anything decisive. This also applies to the manifold worldwide activities for Ossi by *Amnesty International* in April 1997. With our support, three important prizes were awarded to the SKD or to him directly: in 1996 the Friedrich Siegmund-Schultze-Förderpreis (Protestant Church), in 1997 the Bavarian Peace Prize of the DFG-VK Bavaria and in 2007 the Clara-Immerwahr-Prize of the IPPNW (International Physicians for the Prevention of Nuclear War), each of which was again accompanied by quite a bit of press publicity.

After him, we supported dozens of other conscientious objectors and made their cases public. Most of these we supported by conducting fax actions to Turkish authorities. On December 3, 1999, we placed advertisements in newspapers (*Süddeutsche Zeitung* and *Evrensel* as well as *Özgür Politika*) demanding legalization of conscientious objection. Those Turkish newspapers were then confiscated.

SKD Izmir

Ossi was also the one who, together with other conscientious objectors and supporters, helped to establish the first conscientious objection organization in Turkey in December 1992: ISKD (*İzmir Savaş Karşıtları Derneği*). The countless solidarity activities for Ossi and then for the others, who by no means came only from Germany, also ran through the ISKD.

In the 90s there was still a lively conscientious objection movement in Europe, to which also the Turkish belonged. So it was daring but logical to host the annual International Conscientious Objectors Meeting (ICOM) in July 1993 in Turkey, in Ören, on the Aegean coast. In the end, 90 people came from 19 countries, including Colombia. Communication was certainly not easy. So it remained a mystery to me until the end what drove the large number of Turkish anarchists' interest was in the meeting, since without interpreters a conversation was simply not possible. But the interest in each other was all the greater for it, and as a result led to both a strengthening of conscientious objectors in Turkey and more international solidarity. There was also a remarkable amount of press coverage. For example, Rudi Friedrich gave a full-page interview to the daily newspaper "Aydınlık" (Light) on the human right to conscientious objection.

On November 8, 1993, SKD Izmir was banned; it had about 300 members at the time. Journalists who reported on conscientious objectors were arrested and their newspapers closed. The association was able to be re-established in February 1994, and a brochure "Military Justice in Turkey" (May 1994) was produced. Time and again, there were proceedings against the association, but the association was still able to continue the work. I was in Izmir for a month in 1999 and I still remember the rooms crowded with young people.

The SKD was later dissolved, but the contacts with those who were active at that time still continue on a private level.

In order to be able to support Ossi better, and subsequently to be able to spread information (also e.g. about prison conditions) and to coordinate solidarity activities, we founded an international alarm network in January 1994, which still exists today (together with WRI). If necessary, the respective contacts to media and politics can be activated.

SKD Istanbul/VR-DER

On September 1, 1993, 40 people founded Istanbul SKD, and on May 17, 1994, shortly after conscientious objection activities, four activists were arrested and the association was closed. On September 1, they wanted to establish it again, but the police prevented it.

It was not until 2013 that the VR-DER (*Vicdani Ret Derneği/Association for Conscientious Objection*) was able to re-emerge in Istanbul. Today, it is

the only one in Turkey. We have maintained a good contact with the association.

International Solidarity

In 1993 there were also first contacts between the counseling center for Greek conscientious objectors, which existed in Germany at the time, and those in Turkey. There were also contacts at the ICOM 1997 on the Greek island of Ikaria. This led to a common understanding so that conscientious objectors from Turkey and Greece were supporting each other, e.g. in trials. Conscientious objectors from Turkey also got involved, for example, in 2009 on behalf of those in Israel with a protest in front of the embassy. This solidarity developed into the *Mediterranean Meeting on Conscientious Objection*, which took place in Cyprus in 2014, with participants from Cyprus, Northern Cyprus, Greece, Israel, Palestine and Egypt, among others. This then grew into a platform for mutual support.

Process monitoring/delegations

"If you're on your own, they'll put you down" sang the German band *Ton Steine Scherben*. This is especially true for conscientious objectors. If life in a militarized environment is already hard to bear, nothing good can be expected from the concentrated power of the state, the military and the judiciary. It takes a support group. It takes publicity. All this must be organized long before the declaration of refusal. Then, building on that, international solidarity can take place. Even if it cannot be proven in a 1:1 ratio according to the action-effect theorem, we have repeatedly found that something can be achieved - even if it only means that the individual feels strengthened. This can be achieved by collecting signatures, petitions, fax campaigns, vigils in front of embassies and consulates, ideally coordinated in several cities or even in several countries at the same time. However, the physical presence of international delegations on site seems to me to be particularly important. Although it usually does not have much direct effect, it can make a difference. Observing trials is by no means a simple matter of flying there, being safe as a foreigner, holding up the flag and then reporting on it at home.

There have been a lot of proceedings against conscientious objectors - but you cannot be present at all of them. Dates are often being postponed. And then the hearings do not always take place in the big cities with airports. Often there are still 1,000 km to be travelled by bus.

So when a request comes from Turkey for an international delegation to observe a certain process, we usually consult on an international level and try to organize as many different people from different countries as possible. This can also be quite dangerous for them. Some could already be prevented from entering the country. That is why it is important to

establish the appropriate infrastructure at home in advance, with emergency telephones, contacts with the Foreign Office, etc. At the same time, the structure in the country of origin must be set up. At the same time, however, the structure in Turkey itself must be clear: Who will accompany the delegation, whom will they meet, who will translate?

For the International Day of Conscientious Objection, in May 1994, there was to be not only a public refusal in Frankfurt, but in parallel one in Istanbul. To support the latter, Gernot Lennert and Christian Axnick of the DFG-VK Hessen went to Istanbul with Volker Thomas of the *Darmstädter Signal*, an organization of critical soldiers. The meeting with over 100 participants was broken up at the behest of the Ministry of the Interior, people were arrested and the association was banned. The three Germans were also arrested. Later they were released, but their papers were kept until the trial before the military court. It was a good thing that the alarm network existed - and it worked. The three were finally able to leave the country three weeks later.

A wide variety of reciprocal visits are also of great value for solidarity. There must have been dozens of them in the past years, both on an individual level and in an organized way. It has proved particularly useful to work together over a longer period of time, not only to get to know the people involved, but also to get to know the way they work.

Lecture Tours

Conscientious objectors have to live in illegality in Turkey. Since they have no papers, they cannot leave the country legally. Therefore it is the

Bir İnsan Hakkı Olan Vicdani Ret İçin! Vicdani Retçi Mehmet Tarhan'a Özgürlük!

Vicdani retçi Mehmet Tarhan, 8 Nisan 2005 günü isteği dışında askere götürülmek için İzmir'de gözaltına alındı. Tarhan, vicdani nedenlerle her türlü askerlik hizmetini reddediyor. Ayrıca eşcinsel olmasından dolayı çürüğe ayrılmak istemediğini de net olarak duyurdu.

Mehmet Tarhan'a "toplulu erati karşısında emre itaatsizlikte ısrar" suçlamasıyla dava açıldı. Bundan da öte, Sivas Askeri Cezaevi'nde başka tutuklularca kötü muameleye uğradı, haraca bağlandı ve ölümlle tehdit edildi.

Mehmet Tarhan, 9 Haziran günü tahliye edildi. Ancak doğrudan askeri yetkililere teslim edilerek yeniden birliğe gönderildi. Kendisine karşı "emre itaatsizlikte ısrar" suçlamasıyla bir dava daha açıldı. Daha önce de benzer vakalarda böylesi bir döngü yaşanmıştı.

AB üyesi ülkeler vicdani redde ilişkin yasal düzenlemelere gittiler. Türkiye ise, Avrupa Konseyi, Avrupa Parlamentosu ve Birleşmiş Milletler İnsan Hakları Komisyonu'nun bir insan hakkı olan vicdani redde ilişkin tanımladığı kriterleri görmezden gelmeye devam ediyor.

Bu nedenlerden ötürü aşağıda imzası bulunan kurumlar ve kişiler olarak vicdani retçi Mehmet Tarhan'ın gördüğü kötü muameleyi en ağır biçimde kınıyoruz.

İmzacı kurum ve kişiler olarak, Türkiye Cumhuriyeti'ni Mehmet Tarhan'ı zaman yitirmeksizin serbest bırakmaya ve vicdani reddi bir insan hakkı olarak tanımayla çağırıyoruz.

İMzacı KURUM VE KİŞİLER

Aachener Friedenspreis, Almanya

amnesty international, Almanya

Antratin Kampanja Hrvatske, Hırvatistan

ARGE für Wehrdienstverweigerung & Gewaltfreiheit, Avusturya

Association of Greek COs, Yunanistan

attac Schorndorf, Almanya

Bildungswerk der DFG-VK Hessen, Almanya

Comité Louis Lecoin, Fransa

Connection e.V., Almanya

Deutsche Friedensgesellschaft-Vereinigte Kriegsdienstgegnerinnen

(DFG-VK), Federal Büro, Hessen ve Rheinland-Pfalz Eyalet Büroları,

Hannover Grubu, Almanya

Eritrean Antimilitarist Initiative, Eritre / Almanya

European Bureau for Conscientious Objection (EBCO)

Ev. Arbeitsgemeinschaft zur Betreuung der Kriegsdienstverweigerer (EAKO),

Almanya

Forum voor Vredesactie, Belçika

Friedenszentrum e.V. Braunschweig, Almanya

graswurzelrevolution, Almanya

Gruppe für eine Schweiz ohne Armee (GsoA), İsviçre

IKKEVOLD, Norveç

Infoladen Schreibe, Lüksemburg

Iniciativa Angolana Antimilitarista para os Direitos Humanos (IAADH),

Angola / Almanya

Kampagne gegen Wehrpflicht, Zwangsdienste und Militär, Almanya

Komitee für Grundrechte und Demokratie, Almanya

Kürt ve Türk Savas Karşıtları İnisiyatifi (KTSKİ), Türkiye / Almanya

Military Counseling Network, ABD / Almanya

Mouvement de l'Objection de Conscience, Fransa

New Profile, İsrail

Norsk Fredssenter, Norveç

Ohne Rüstung Leben (ORL), Almanya

Pais, Hollanda

Quaker Council for European Affairs

Transnational Foundation for Peace and Future Research, Norveç

Türkiyeli Vicdani Retçiler, Türkiye

Union Pacifiste de France, Fransa

War Resisters' International (WRI)

War Resisters' League, ABD

Women in Black, Sırbistan & Karadağ

Zentralstelle für Recht und Schutz der Kriegsdienstverweigerer aus

Gewissensgründen e.V., Almanya

Cem Özdemir, Avrupa Parlamentosu

Claudia Roth, Almanya Federal Parlamentosu

Markus Meckel, Almanya Federal Parlamentosu

Tobias Pfleger, Avrupa Parlamentosu

Uta Zapf, Almanya Federal Parlamentosu



blg@savaskarsitlari.org Daha fazla bilgi için bkz. www.savaskarsitlari.org (Türkçe), www.wri-irg.org (İngilizce), www.Connection-eV.de (Almanca)

Advertisement in Cumhuriyet
July 2005 to support consci-
entious objector Mehmet
Tarhan

task of the supporters to draw attention to their situation and to organize solidarity for them. Thus, there were repeated invitations from other activists of the SKD, from lawyers, but also from refusers who still had valid papers. For example, the DFG-VK North Rhine-Westphalia planned



Coşkun Üsterci 2013 on tour
Photo: Rudi Friedrich

to invite the conscientious objector lawyer Ahmet Hür and the conscientious objector Arif Hikmet İlyidoğan to Germany and the Netherlands for two weeks in January 98. Months before, they had already thought about what their program might look like. Of course, visits to groups of the DFG-VK with public events, *Connection e.V.*, *Pro Asyl*, *Republican Lawyers Association*, *medico international*, the *European*

Bureau for Conscientious Objection (EBCO), the *War Resisters' International* in London, parliamentarians of all parties, Ministries of Justice, Foreign Office, European Parliament ... Certainly not everything could be realized and certainly not everything was successful. However, the confrontation with the subject is essential in such undertakings. And the visits are not only good for spreading information, but also for organizing solidarity. And they are also important for the people from Turkey themselves, so that they get an idea of who we are, how we work and what is feasible or not.

Newspapers/Booklets

In the course of time, a number of newspaper projects have been established in connection with conscientious objection. These were founded either by conscientious objectors themselves or in cooperation with supporters. They had an enormous value for the propagation of ideas, the exchange and the cohesion of the activists. In the first two years, the SKD published the magazine *Bakaya* (Service Refugee), a magazine with an explicitly anti-militarist orientation, which Aziz Koşgin also helped to distribute in Germany. From January 1994 to the end of 1995, the really impressive *Savaşla karşı Barış* (War against Peace) was published, with 15

issues in a circulation of up to 2,500. Then it was confiscated, the editors arrested and put on trial. In 1996, the newspaper *nisyan* (Forgetting) was also created, about which I do not know more. In Germany, there were four issues of *otkökü* (grassroots, Turkish/German) from March 2001, essentially a project of Ossi as a supplement to the newspaper “graswurzelrevolution”. We produced KIRIK TÜFEK (The Broken Rifle) monthly from February 1994, in which we reported in German mainly about conscientious objection and its movement.

For the orientation of conscientious objectors living here, the booklet “Askere gitme! - Don’t join the military!” published by the DFG-VK North Rhine-Westphalia in 1990 was certainly important. In 1996, the booklet “Let’s refuse military service” was produced, in German and Turkish.

Reports about actions and cases were always found in *ZivilCourage* and *graswurzelrevolution*. But also the (normal) daily newspapers like *tageszeitung*, *junge Welt*, *Jungle World*, *Frankfurter Rundschau*, *Welt*, *Süddeutsche Zeitung* often reported in really serious and detailed articles.

Now most activities, statements and publications are published online. The main website about conscientious objection in Turkey is the page of the Association of Conscientious objection, www.vicdaniret.org. War Resisters’ International <https://wri-irg.org/en/programmes/turkey-stop-cycle-violence> as well as Connection e.V. www.Connection-eV.org/CO_Turkey are running own projects on it, too.

Finance

It should be clear: Anyone who has fled Turkey and is not allowed to work has no money. And this also goes for anyone who has to live in illegality in Turkey. And it is the same with the corresponding organizations. That is why not only we have collected money for certain projects again and again, but why we set up an extra solidarity account for this work in 2007. Money comes in, but it is not enough. So early on, together with the people from Turkey, we thought about which funds we could tap. Since we have had experience in this area for a long time, we have even held a fundraising seminar. We are also happy to make our experience and contacts available for new projects.

WRI Working Group “Stop the Cycle of Violence”

At the beginning of the violent clashes in southeastern Turkey in 2015/16, some of the activists in Turkey asked us for international support against the war. As a result, an international working group was formed under the umbrella of *War Resisters’ International* (WRI), comprising members from *Connection e.V.*, *Bund für Soziale Verteidigung* (BSV), *Internationaler Versöhnungsbund* - Austrian branch, *La Transicionera* (Spain) and activists from Turkey. The working group called for a stop of the

Publication

Protection from Afar

The publication provides insights and advice on how supporters can respond and provide protection in cases of persecution and/or threats to the safety of activists in Turkey. English 2020.

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cycle of violence in Turkey. It organized a campaign against the war, sent a delegation to the war area, accompanied some criminal procedures against human rights activists in Turkey, and published several brochures and articles to raise awareness and support for the situation in the Southeast and the precarious situation of human rights activists. Most recently, the working group published a booklet on how people in Turkey can be supported from outside, i.e. from other countries, who are threatened with imprisonment and criminal proceedings.

Solidarity Work Today

Let us skip the next few years and come to the situation today. Many things have already been mentioned, and we do not want to repeat them. Therefore, only new things.

In Germany, there are still conscientious objectors from Turkey in the asylum process whom we are supporting, currently Beran Mehmet Işçi and Onur Erden. Together with them and their lawyers, we are preparing the next steps of the procedure in each case. We are trying to build up a support infrastructure in the area where they live and to organize press contacts and public appearances, e.g. at the Easter march.

Conscientious objectors from Turkey, even if they only have German citizenship, can be arrested at any time based solely on posts in social media when visiting their relatives in Turkey, for example. This has just happened to İlhami Akter - he refused in 1993 - who then fled on his own via Georgia. Also in this case, together with a solidarity group from Hamburg, where he lives, we tried to use all the contacts available (e.g. members of the Bundestag, Foreign Office, Mayor of Hamburg) to be helpful to him. Now he is happily back here and is writing a book about his fate, which we are helping him with.

The VR-DER has been working for years in three main areas: 1. counseling and support for current conscientious objectors, with appropriate actions 2. developing international pressure, for recognition of the right to conscientious objection, and 3. the situation of military conscripts ("suicides"). And finally, there are various charges against the association and active members of the association. Right now we are pursuing the idea of building up pressure again for the recognition of the right to conscientious objection. A *Bulletin Conscientious Objection* is now published every two months. For the association we have developed an extra donation campaign. In all these areas we mostly work together via video conferences.

On an international level, there is currently good cooperation with conscientious objectors from Turkey who have fled to other countries (Cyprus, France, Germany) and have a secure residence status there, resulting in this "book project", for example. Here, too, communication,

which is restricted by the Coronavirus, takes place mainly via video conferences.



Review and outlook

May 15 - International Day of Conscientious Objection

In the course of time, an almost unmanageable number of groups and organizations in Germany have been active on behalf of conscientious objectors from Turkey. First and foremost, of course, there are the self-organization approaches, with groups in Frankfurt, Aachen, Dortmund, Kassel, Hamburg, Berlin... Then the cooperation with the local groups of the DFG-VK, state associations (with particularly many activities in Frankfurt/Hesse, Dortmund/North Rhine-Westphalia and Hamburg) and then also the federal association. But also the *Campaign Against Conscription* (Berlin), the self-organization of conscientious objectors and the total objectors with their magazine *Ohne uns* and the counseling centers for conscientious objectors of the churches were repeatedly involved. Some organizations of the peace movement also showed fundamental interest in the topic, in addition to those already mentioned, e.g. *IdK Berlin* (Internationale der Kriegsgegner*innen), *Zentralstelle KDV*, *Internationaler Versöhnungsbund*, *Bund für Soziale Verteidigung*, grassroots groups, *Greenpeace*, *Ohne Rüstung Leben*, *Kurve Wustrow*.

When it came to supporting someone in the asylum process, a completely different spectrum usually opened up: Asylum and human rights organizations such as *Pro Asyl*, *Komitee für Grundrechte und Demokratie*, *Republikanischer AnwältInnenverein*, *kein mensch ist illegal*, refugee councils - and at the local level, especially when someone was to be deported: From the school class to the parish (Pax Christi), the soccer club to the master baker, everything was there. Of course, almost all conscientious objector organizations in the European countries - and beyond - were active in solidarity work, e.g. the US Vietnam War veteran Greg Payton visited our friends in Turkey and left a powerful impression there. They continuously reported on the individuals and also set up actions themselves. A pivotal role is played by *War Resisters' International* (WRI) in the exchange and worldwide dissemination of information. They are based in London, where the area of responsibility on conscientious objection is currently coordinated by a person from Turkey. Through the Turkey-Kurdistan working group there, worldwide solidarity campaigns are organized and international delegations are assembled. EBCO, the *European Bureau for Conscientious Objection* in Brussels, should not be forgotten. This office is primarily concerned with the right to conscientious objection in Europe also the implementation of legal requirements. EBCO puts pressure on the Council of Europe so that it will not forget the scandalous human rights situation of conscientious objectors in Turkey. There are also good contacts with the Quaker UN office in Geneva. There, the task is to enforce the right to conscientious objection worldwide. And since conscientious objection is also a matter of human rights, *Amnesty International* must not be omitted from the list, as it repeatedly draws attention to the precarious situation of individual conscientious objectors worldwide, for example through urgent actions. Even if in the area of lobbying, with governments, European parliament, European commission, Council of Europe and the UN surely no fast breakthrough is to be obtained, however, appropriate UN resolutions build up a certain degree of pressure, which the Turkish government must argue against over and over again.

As experience has shown, not only conscientious objectors are persecuted in Turkey, but also their organizations and media as well as, in principle, anyone reporting on them.

Turkey has, after the USA, the second largest army in NATO with 375,000 active soldiers. It is a state within a state. And this army is permanently deployed. Not exclusively but with particular intensity in the Kurdish areas. And more and more beyond the borders: Northern Cyprus, Northern Iraq, Syria, Libya, Mediterranean Sea, Azerbaijan/Armenia - and also in more and more African states. The current six months compulsory military service is a mandatory prerequisite for this. While a few years ago young men were able to avoid service relatively unproblematically, this is no longer so easy today due to a better registration and

reporting system. Thus, at certain times, there have been as many as three-quarters of a million military draft evaders. (In 2014, the Turkish Statistical Office reported "up to 800,000" military draft evaders). Today, there are still several hundred thousands. Recruitment is going on for all it is worth. In addition only some newspaper headlines: "Grandpa of the company" - 71-old men drafted (Frankfurter Rundschau - 13.6.05). / 71-year-old drafted (Die Welt - 5.3.08). / Turkish army calls up 80-year-old for service (Frankfurter Rundschau - 2.4.11).

And there are checks and searches everywhere in the country; for example, in 2013 from Oct. to Dec. almost 5,000 conscientious objectors were arrested during checks. Presumably, more than 1,000 publicly known conscientious objectors are also exposed to this danger.

Concluding remark: Even if the right to conscientious objection is certainly of enormous importance, on the other hand - as experience shows - it is a right which must be applied for and not everyone is granted this right. Substitute service is virtually a punishment for claiming that right. It would mean progress if not only universal pacifists were granted the right to conscientious objection, but if recognition of selective objection were also possible, so that Kurds, for example, would no longer have to shoot "at their brothers." Moreover, we should keep in mind: The concern of conscientious objection is, of course, to end war - and this includes the abolition of conscription and armies. Only then can we live in peace.

And of course: conscientious objectors and deserters alike do need asylum! On June 27, 2007, Mustafa Alkali, a deserter from Turkey, hanged himself in deportation custody in Frankfurt/M. There is still a lot to do! ■

Association for Conscientious Objection



The conscientious objection association, Vicdani Ret Derneği, was founded in İstanbul in 2013. Since then, the association has been active in bringing together conscientious objectors from all over Turkey and organizing meetings and seminars. It regularly organizes public actions and thus offers new conscientious objectors the opportunity to make their refusal public. The International Day of Conscientious Objection, 15 May, has repeatedly been used as a reference point for this. The association offers counseling and accompaniment in criminal proceedings.

Due to the activities of the association, several investigations and criminal proceedings were initiated against active members of the association. In view of the current human rights situation in Turkey, it is important for the activists of the association to be able to build on international support.

The Association for Conscientious Objection is a member of the *European Bureau for Conscientious Objection* (EBCO) and *War Resisters' International* (WRI).

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Union Pacifiste de France

The Union Pacifiste de France (UPF) was founded in 1961. The organisation is independent and welcomes all who are committed to pacifism, the rejection of any army and any war.

UPF advocates unilateral, total and immediate disarmament, an idea developed in France by Louis Lecoin.

UPF fights against all militarism, arms trafficking, the agreement between the military and schools, nuclear testing... It supports those who refuse the army: conscientious objectors, total objectors and deserters.

As the French section of War Resisters' International, UPF is in constant contact with pacifists in many countries.

UPF publishes the monthly magazine *Union Pacifiste*.

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War Resisters' International

War Resisters' International (WRI) is a global pacifist and antimilitarist network with over 80 affiliated groups in 40 countries. It is based on the common declaration founded 1921 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'.

WRI facilitates mutual support by linking people together through publications, events and actions, initiating nonviolent campaigns that actively

involve local groups and individuals, supporting those who oppose war and who challenge its causes, promoting and educating people about pacifism and nonviolence.

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Connection e.V.

Many countries practice forceful recruitment for war. Objectors are discriminated against and persecuted. Connection e.V., an association founded in 1993, advocates a comprehensive right to conscientious objection at an international level. The organisation collaborates with groups opposing war, conscription and the military. Beyond Europe, our network extends to Turkey, the U.S., Israel, Latin America and Africa.

The danger of prosecution has forced many conscientious objectors to leave their countries. However, prosecution as a conscientious objector is usually not recognized as a reason for asylum. Connection e.V. demands that conscientious objectors from war regions should get asylum. We offer counseling and information to refugees and support for their self-organization.

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