



The Right to Refuse to Kill

The European Bureau for Conscientious Objection Newsletter (EBCO)

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Feyda Sayan

Rising Militarist Discourse in Turkish Daily Life

It is the first time I am writing to this bulletin and I have something to say about what Turkey has been going through in the recent months. No, I am not going to talk about Northern Iraq or cross – border operation. I am going to talk about something which I take to be far more serious for anyone who is concerned in anti-war activism, anti-militarism and conscientious objection: The surge of militarist discourse in daily life and popular culture.

Let me start with the atmosphere around myself: Well, Turkish people are very angry. At first, the reason of the anger was definite: 15 Turkish soldiers were killed in one day, and of course everyone was talking furiously about PKK. But nowadays, it seems like people are disoriented about the reason and target of their anger. Angry words are flying around like wandering stones ready to hit anyone who will dare to ask questions about why the military initially did not share information about the kidnapped soldiers, or even more naïve and basic questions like “Why is it always the soldiers from poor families that are killed?”

Most of the media, on the other hand, including mainstream and popular newspapers and TV channels, does not seem to refrain from explicit provocation of this disoriented and dangerous anger.

Each day I look into at least the first pages of all mainstream newspapers. In the recent weeks, all the first pages resemble each other: A large picture of a soldier accompanying a provoking headline, written in the boldest and biggest fonts possible. Then when I get to look into the papers, I see the evident signs of a strikingly rising militarist and “male” discourse not only in pages regarding politics. Actually, they are everywhere: Sports pages, entertainment pages, economics pages. Football players, pop singers, actors and actresses, who want to enhance their popularity, are talking about their high regard for the military and giving lectures about the military character of Turkish nation. But the most striking,

even shocking pieces of news are about children. Have a look at the piece of news regarding a letter written to the Prime Minister by an 8-year-old kid: “Please let me be a soldier. I can wash the soldiers’ feet when they come back from operations. I can share my chocolate with them”.¹ And another example from economics page: “Citizens are flooding shops which sell military material. The biggest demand is for military outfit for children. The price is 12 YTL, including the little hat. The price of blue, black and green berets range from 2.5 to 12.5 YTL, whereas headbands which carry the sign ‘commando’ are sold for 1.5 YTL”.²

I could extend the list with other examples of social militarization, but the conclusion would stay the same: I think a very genuine problem lies in the rising militarization of society in the last few months. Among all this “shouting”, and reproduction of militarism, it becomes very difficult to voice any demands regarding conscientious objection. The issue drifts further away from the agenda, because of this conjuncture which I tried to illustrate through some examples from the media, popular culture and everyday life.

The practices and changing discourses in media, in daily life-world and popular culture is to be taken seriously, because these are the penetration points where “internalization” of militarism takes place within the society. It should, I think, be a point of concern for everyone who is in favor of the right to conscientious objection and alternative military service. By the way, my name is Feyda. I first met Gerd Greune last year in Brussels, for an interview about

¹ Hürriyet, 24 October 2007, “8 yaşındaki öğrenciden Erdoğan’a mektup” (Letter to Erdoğan from an 8 – year – old student). <http://arama.hurriyet.com.tr/arsivnews.aspx?id=7548714>

² Hürriyet, 30 October 2007, “Asker kıyafetlerine ilgi arttı” (Rising interest for military outfit). <http://arama.hurriyet.com.tr/arsivnews.aspx?id=7585551>

my MA Thesis, which was about social movements and conscientious objection in Turkey. I will try to help EBCO as a correspondent in Turkey, and I hope to be

as beneficial as I can. Please take this article as my first greeting to EBCO and everyone in favor of "The Right to Refuse to Kill".

Turkish CO Halil Savda sentenced twice – to a total of 21.5 months in prison - and released



On 12 April the Çorlu military court sentenced conscientious objector Halil Savda to a further six months imprisonment, bringing his total prison time up to 21.5 months. Already on 15 March 2007, Halil Savda had been sentenced to 15 ½ months imprisonment on charges of desertion and disobeying orders – by the same court that now sentenced him again for disobeying orders.

Already the sentence from 15 March constitutes a violation of Article 9 of the European Convention on Human Rights, and Article 18 of the International Covenant on Civil and Political Rights (Freedom of thought, conscience, and religion), both of which Turkey has signed and ratified.

The new sentence is not only a violation of Article 9 ECHR and Article 18 ICCPR, it also constitutes a violation of Article 14 para 7 of the ICCPR, which states that *"no one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country"*. The United Nations Working Group

on Arbitrary Detention made this clear in its opinion 36/1999, on the very similar case of conscientious objector Osman Murat Ülke: *"The Working Group is of the opinion that there is, since, after the initial conviction, the person exhibits, for reasons of conscience, a constant resolve not to obey the subsequent summons, so that there is "one and the same action entailing the same consequences and, therefore, the offence is the same and not a new one" (see Decision of the Constitutional Court of the Czech Republic, 18 September 1999, No. 2, No. 130/95). Systematically to interpret such a refusal as being perhaps provisional (selective) would, in a country where the rule of law prevails, be tantamount to compelling someone to change his mind for fear of being deprived of his liberty if not for life, at least until the date at which citizens cease to be liable to military service."*

The sentence also goes against the spirit of the judgement of the European Court of Human Rights from 24 January 2006 on the case of Osman Murat Ülke. The court noted: *"The numerous criminal prosecutions against the applicant, the cumulative effects of the criminal convictions which resulted from them and the constant alternation between prosecutions and terms of imprisonment, together with the possibility that he would be liable to prosecution for the rest of his life, had been disproportionate to the aim of ensuring that he did his military service. They were more calculated to repressing the applicant's intellectual personality, inspiring in him feelings of fear, anguish and vulnerability capable of humiliating and debasing him and breaking his resistance and will. The clandestine life amounting almost to "civil death" which the applicant had been compelled to adopt was incompatible with the punishment regime of a democratic society."* Even after a release from prison, Halil Savda will not be free - he will either be sent back to his military unit, or be forced to live a clandestine life.

In accordance with Turkish practice, the court did not go into the reasoning for the sentence - the reasons why the court thought it possible to sentence Halil Savda for the second time for what has to be considered as one and the same offence will only be known when the written judgement will be available.

On 28 July 2007 Halil Savda has been released from prison after he has spent six months of his 2nd arrest. The first sentence has not yet been valid and therefore not been executed. Parallel the military court requested his transfer to the recruiting office where he received his next call up papers. He did not follow this call up and returned home.

With this third call up from 28 July 2007 Halil Savda is following the same viscous circle of arrest, sentence and imprisonment as other Turkish Cos. They are seen as deserters, do not get a passport and cannot even open a bank account. The European Court of human rights condemned this attitude as civilian death and requested from Turkey an immediate end of this practice.

EBCO open letter to the Committee of Ministers, Council of Europe, per fax: +33 388 41 37 77

Re: Case 39437/98, Conscientious objector Osman Murat Ülke, judgement of 24/01/2006

Dear Sir/Madam,

We are concerned about the case of Turkish conscientious objector Osman Murat Ülke. Mr. Ülke spent 2 1/2 years in prison from October 1996 until March 1999, and won his case at the European Court of Human Rights in 2006, received a new order from the military prosecutors office of Eskisehir informing him that he is expected to present himself within 10 days of issue of that notice to the prosecutor in order to serve a sentence of 17 months and 15 days in respect of earlier convictions for refusing to undertake military service. Failure to do so would result in a warrant being issued for his arrest. The document in question had been issued on 14 June 2007, so that it is highly likely that presently there is an arrest warrant for Osman Murat Ülke, putting him at high risk of arrest and re-imprisonment.

In its judgment on the merits of the case, the European Court of Human Rights, on 24 January 2006, came to the conclusion: "The numerous criminal prosecutions against the applicant, the cumulative effects of the criminal convictions which resulted from them and the constant alternation between prosecutions and terms of imprisonment, together with the possibility that he would be liable to prosecution for the rest of his life, had been disproportionate to the aim of ensuring that he did his military service. They were more calculated to repressing the applicant's intellectual personality, inspiring in him feelings of fear, anguish and vulnerability capable of humiliating and debasing him and breaking his resistance and will. The clandestine life amounting almost to 'civil death' which the applicant had been compelled to adopt was incompatible with the punishment regime of a democratic society.

Consequently, the Court considered that, taken as a whole and regard being had to its gravity and repetitive nature, the treatment inflicted on the applicant had caused him severe pain and suffering which went beyond the normal element of humiliation inherent in any criminal sentence or detention. In the aggregate, the acts concerned constituted degrading treatment within the meaning of Article 3."

The Committee of Ministers of the Council of Europe also dealt with the case in several meetings. At its meeting on 13-14 February 2007 the Deputies, "deplored the fact that the Turkish authorities had as yet taken no individual measure to put an end to the violation found by the Court, the applicant still being subject to an arrest warrant with a view to the execution of his sentence."

The recent development - the notice sent by the military prosecutor's office to the address of Osman Murat Ülke's father, ordering Osman Murat Ülke to present himself to serve the outstanding sentences - is a further sign that the Turkish authorities are acting in breach of the European Court of Human Rights decision. Even worse, Osman Murat Ülke, who has been deprived of his civil and political rights since March 1999, is at high risk of being arrested again, in spite of the judgment of the European Court of Human Rights.

The Committee of Ministers should request from the Turkish government that the decision of the military prosecutor to require Osman Murat Ülke to undergo further imprisonment be rescinded and that the Osman Murat Ülke's full rights as a citizen be re-established without further delay.

Council of Europe

Resolution CM/ResDH(2007)109¹

Execution of the judgment of the European Court of Human Rights Ülke against Turkey

Adopted by the Committee of Ministers on 17 October 2007 at the 1007th meeting of the Ministers' Deputies.

(Application No. 39437/98, judgment of 24 January 2006, final on 24 April 2006)

The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms, which provides that the Committee supervises the execution of final judgments of the European Court of Human Rights (hereinafter "the Convention" and "the Court");

Having regard to the judgment in the case of Ülke transmitted by the Court to the Committee for supervision of its execution once it became final on 24 April 2006;

Considering that, in its judgment, the Court found that the applicant's repeated convictions and imprisonment for having refused to perform compulsory military service on account of his beliefs as a pacifist and conscientious objector amounted to degrading treatment within the meaning of Article 3 of the Convention;

Considering further that the Court found that the existing legislative framework was insufficient, as there was no specific provision in Turkish law governing the sanctions for those who refused to perform military service on conscientious or religious grounds and that the only relevant applicable rules appeared to be the provisions of the Military Criminal Code, which made any refusal to obey the orders of a superior an offence;

Stressing the obligation of every state, under Article 46, paragraph 1, of the Convention, to abide by the judgments of the Court, including through the adoption of individual measures putting an end to the violations found and removing as far as possible their effects for the applicant, as well as general measures not least to prevent similar violations;

Noting that, at the 997th meeting of the Committee of Ministers (June 2007), the Turkish authorities declared that a draft law had been prepared aiming to prevent new violations of Article 3 similar to that found in the present case, and that this draft would be transmitted to the Prime Minister's Office for submission to Parliament following the opinions received from the relevant ministers;

Noting further the Turkish authorities' declaration that this law, once adopted, would prevent repetitive prosecutions and convictions of those who refuse to perform military service for conscientious or religious reasons, on grounds of "persistent disobedience" of military orders and that it was also intended to cover the necessary individual measures to be taken in this case.

Noting with concern that, following the government's declaration, the applicant was summonsed on 09/07/2007 to present himself in order to serve his outstanding sentence resulting from a previous conviction and that his request for a stay of execution of his sentence was rejected by the Eskişehir Military Court on the ground that the said declaration before the Committee of Ministers could not lead to a stay of execution of the applicant's sentence because the content of the law under preparation – including whether or not it contained provisions that would apply for or against the applicant's case – was unknown;

Emphasising in this regard that the Convention and the judgments of the Court have direct applicability in Turkish legal order by virtue of Article 90 of the Turkish Constitution;

Regretting that, despite Article 90 of the Turkish Constitution, the applicant is now facing a real risk of being imprisoned on the basis of a previous conviction;

Stressing the necessity to take urgent individual measures in this case;

- ❖ URGES therefore the Turkish authorities to take without further delay all necessary measures to put an end to the violation of the applicant's rights under the Convention and to adopt rapidly the legislative reform necessary to prevent similar violations of the Convention;
- ❖ INVITES in particular the Turkish authorities rapidly to provide the Committee with information concerning the adoption of the measures required by the judgment ;
- ❖ DECIDES to examine the implementation of the present judgment at each human rights meeting until the necessary urgent measures are adopted.



Turkish CO Murat Ülke

Refusing to Kill is not a Crime - No to Article 318!

Serpil Köksal, who read out a press release issued on 18 April during a solidarity action with conscientious objector Halil Savda in Yüksel Ave, Ankara, and Murat Dünşen and İbrahim Kızırtıcı, who were alleged to have been carrying a placard saying "Don't be a Soldier", all face legal charges of "alienating the people from the army" under Article 318, parts 1-2 of the Turkish Penal Code (TPC).^{*} The first trial hearing was held today (Thursday 20 September 2007) in Ankara.

Tayfun Gönül and Vedat Zencir, both of whom declared their conscientious objection in 1989 as part of a campaign initiated by the weekly periodical Sokak, were also sentenced for "alienating the people from the army". This offence is the one that conscientious objectors, who today number more than 60, very often face. Conscientious objector Doğan Özkan was sentenced to six months' imprisonment on 20 September 2006, but his prison sentence was commuted to a fine of 3,000 YTL, and consequently Doğan Özkan filed an appeal. His Supreme Court case is still ongoing. On the other hand, Halil Savda was tried on 19 September 2007 because of a press release he had read out during a solidarity action with Israeli conscientious objectors in front of the Israeli Consulate in Istanbul.

Not only are conscientious objectors and their supporters under threat for allegedly "alienating the people from the army", but this allegation is also used as a significant tool of repression against columnists who support conscientious objectors in their articles, and consequently suppresses freedom of expression. From Tuğrul Eryılmaz, the then editor of the weekly periodical Sokak, to a reporter and cameraman working for the HBB TV Network, many media workers and columnists have faced military trials and imprisonment. Not satisfied with these means of repression, the authorities have

also directly ordered the media not to cover the issue of conscientious objection. Columnist Perihan Mağden was tried after she published an article entitled "Conscientious Objection is a Human Right", but she was acquitted following the strong public and international reaction to her case. However, Günden newspaper reporter Birgül Özbarış still faces multiple trials based on the same article of the TPC, and could face a total of 21 years' imprisonment.

Article 318 of the TPC stipulates an upper limit of 2 years' imprisonment, but if the "crime" is committed via the press the sentence is increased by 50%, leading to jail terms of between one and three years. The State, dissatisfied with this scale, brought Article 318 within the compass of the Anti-Terror Code (ATC), which was approved in June, labelling conscientious objection "organized crime" and a "danger", effectively increasing the prison terms from 1.5 to 4.5 years.

In other words, a columnist might face 4.5 years of imprisonment in this country for saying "I support conscientious objectors". The case of Birgün newspaper reporter Gökhan Gencay, who is on trial for "alienating the people from the army" by interviewing a conscientious objector, was referred up to the High Criminal Court because the Magistrates' Criminal Court regarded it as beyond its jurisdiction. (The High Criminal Court eventually dismissed the case.)

As is known, the antimilitarist perspective is in struggle against all the structures, authorities and conceptions of militarism, protesting against war, armaments and the militarization of society, and is indeed trying to "alienate the people from the army". Therefore, Article 318 prohibits the antimilitarist point of view.

- Although the Republic of Turkey is a founding member of the Council of Europe, it is the only country among the 47 members which does not recognise conscientious objection constitutionally. We demand from the Turkish government, which was found guilty by the European Court of Human Rights (ECHR) in the case of conscientious objector Osman Murat Ülke, and subsequently promised the Council of Europe's Committee of Ministers that it would adopt new legislation in accordance with the ruling of the ECHR, to implement its pledges.
- We demand that the repression against conscientious objectors stops, and that all obstacles to this be removed. Furthermore, we also demand that Article 18 of the International Convention of Civil Rights and Article 9 of the European Convention of Human Rights be applied.
- We demand that Article 318 of the TPC, which is now encompassed within the Anti-Terror Code, be abolished completely, and furthermore demand that all ongoing trials based on Article 318 are immediately dismissed.
- We consider all actions of disobedience by people who face these accusations to be within the scope of democratic freedom of expression, and we further underline that we support the declaration below, which led to the trial on 20 September 2007, since it is an expression of thought and consequently an exercise of a basic right.

Art. 318 of the new Turkish Penal Code (TPC), effective since 1 June 2005:

- (1) *Persons who give incentives or make suggestions or spread propaganda which will have the effect of discouraging people from performing military service shall be sentenced to imprisonment for a term of six months to two years.*
- (2) *If the act is committed through the medium of the press and media, the penalty shall be increased by half.*



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CONSCIENTIOUS OBJECTOR'S CASE FOCUSES SPOTLIGHT ON MILITARY'S ROLE IN SOCIETY

Nicolas Birch

Turkey's most famous conscientious objector is embroiled in yet another controversy with authorities. Having already served 701 days in prison over the past 12 years, officials want to put Osman Murat Ülke behind bars again in connection with his refusal to answer his draft notice in 1995. The most recent move against Ülke places Turkey at odds with the European Court of Human Rights, which last year ruled that the government violated his rights. An official summons issued in June ordered Ülke to turn himself in to serve a 17-month prison sentence in connection with what authorities have deemed draft-dodging. If Ülke does not voluntarily surrender, an arrest warrant could be issued against him, a military prosecutor warned in the summons.

Ülke insists he is a conscientious objector to military service. However, Turkey, where all males must serve in the armed forces, does not recognize conscientious objection as a legal way out of the draft. Ülke's long tangle with authority began in 1995, when, as part of a nascent group dedicated to winning legal status for conscientious objection, he publicly burned his draft notice and declared to journalists; "I am not a soldier, and never will be."

In Israel or South Korea, conscientious objectors face imprisonment only once. In Turkey, however, pacifism can draw repeated punishment. In Ülke's case, punishment began in 1996, when he was prosecuted on charges of "alienating the public from the institution of military service." Rather than jailing him, authorities tried to "impress" him, forcibly taking him to a military post in the town of Bilecik. When he refused to don a uniform or to respond to orders, he was put in a military prison for insubordination.

A month later, he was released and immediately became caught in a Kafkaesque cycle of defiance and confinement within the closed system of military justice. From 1996-98, he was convicted of desertion by a military court on several occasions. His desertion convictions brought on a variety of civil penalties that had the cumulative effect of rendering him a non-person. For example, he is denied the right to hold a passport, or open a bank account. And he is legally barred from marrying the mother of his three-year-old son. Even a weekend trip with friends is fraught with danger. "Book into a hotel, and I could be arrested," Ülke says on the phone from his home in the western Turkish city of Izmir.

In 1998, Ülke filed suit with the European Court of Human Rights seeking to force Turkey to confront the issue of conscientious objection. In January 2006, the court ruled that the punishments meted out against him "had been disproportionate to the aim of ensuring that he did his military service."

"The clandestine life amounting almost to 'civil death' which the applicant has been compelled to adopt is incompatible with the punishment regime of a democratic society", the ECHR ruling added.

Under the ruling, Turkey was found in breach of Article 3 of the Convention on Human Rights and ordered to pay Ülke €10,000 (about \$13,800). In saluting the decision, Ülke stated that "conscientious objection has always been the sine qua non condition of my loyalty to my identity, character and convictions." Although the ECHR recognized that Ülke's suffering was brought about by the deprivation of rights, the court did not touch on the legality of conscientious objection.

Since the ECHR ruling, Ülke has suffered from an increase in official harassment, including police surveillance, according to Human Rights Watch. The most recent summons would appear to totally flout the ECHR's decision. "It's possible the prosecutor hasn't heard of the judgment", says Ülke's British lawyer, Tony Fisher. "But that in itself constitutes a breach of the ECHR decision, which Turkey's government had an obligation to inform its judiciary about."

The Committee of Ministers, the European body charged with ensuring that states party to the convention comply with ECHR judgments, has been following Ülke's case closely since 2006. At a February 2007 meeting, it issued a statement deploring "the fact that the Turkish authorities had as yet taken no individual measure to put an end to the violation found by the Court [ECHR]."

This June, the Turkish authorities informed the Committee of Ministers that a draft law aimed at preventing repeated punishment of conscientious objectors was under preparation. Contacted by phone, officials were unable to say when the law might be passed.

"Turkey is normally pretty quick at complying with ECHR judgments", said Orhan Kemal Cengiz, a prominent Turkish human rights lawyer. "If there is delay here, it's because we're in the military zone."

Until mid-July, prosecutors had left Ülke alone for six years, in what appeared an attempt to avoid controversy. But that didn't make his life any easier.

The case is placing the military's role in Turkish society in the spotlight at a sensitive time for the country, when parliamentary elections are to be held July 22, and the government's hopes for near-term accession to the European Union are flagging, if not altogether exhausted.

Ülke's predicament is tied to the fact that he lives in a country that prides itself on being a "nation of soldiers." From the start of their school education, Turkish children are encouraged to exalt the army. In the second year of high school, all students attend a compulsory class on "national security" taught by a military officer. Written under the army's auspices, the textbook used describes military service as "the most sacred service to the nation." A person who has not done it, it adds, "cannot be useful to himself, his family, or his homeland."

The attitude is widely echoed in traditional Turkish society, where men who have not done their military service are often considered unfit either to work or to marry.

Questioning the military's preeminence remains a dangerous thing. A well-known novelist and columnist Perihan Magden faced 3 years in jail last year when an Istanbul prosecutor deemed an article she wrote in support of a civilian alternative to military service an "insult to Turkishness." A trial in 2006 resulted in her acquittal.

An author of a book on Turkish militarism, Ayse Gul Altinay, thinks the state has painted itself into a corner. "When you have presented [military service] as an essential part of national identity, how do you go about changing it?" she asks.

Attitudes are nonetheless changing.

Ülke remembers that when he decided to declare his conscientious objection in 1992, even like-minded people thought it was "an act of insanity." "Now human rights organizations, parties and individuals are beginning to show sympathy, even if only passive," he says. "The taboo has been broken."

While the number of people evading military service in Turkey is thought to be more than 100,000, conscientious objectors remain a tiny minority, with only about 80 men openly stating their convictions. "That hasn't stopped almost all Turks hearing about us", says Ugur Yorulmaz, who studied in a military high school before turning pacifist. "We're a cost-effective bunch."

Editor's Note: Nicolas Birch specializes in Turkey, Iran and the Middle East.

Source: <http://www.eurasianet.org:80/departments/insight/articles/eav071807f.shtml> 7/18/07

BULGARIA

The last dispute on a conscientious objector in Bulgaria

A letter to EBCO Bulgaria

Dear Mr. Iliev,

According to article 97 of the Law of Defense and the Armed Forces of Republic of Bulgaria (LDAFRB), all men - citizens of Republic of Bulgaria, fit for military service, irrespective of race, ethnicity, religion, education, social origin, and civil status, who have completed 18 years old are due to perform compulsory military service.

There is an opportunity, given by article 84; paragraph 1 of LDAFRB, the conscription could be substituted with an alternative service.

With the regulation of article 7, paragraph 2 of the Law of substitution of the military service with the alternative military service is defined one-month period from the declaration of the decision of the local commander, in which the subject has the right to file a well motivated application and declaration about the circumstances, which have led him to decision for military service substitution.

I consider necessary to point out that the procedure of taking of decision of the conscript commission requires introducing the candidates with the legislative documentation. These documents are connected with the preparation and the implementation of the military service, incl. the possibility for substitution of the military service with alternative and hearings of the conscripts' attitude towards the implementation of its military service.

Moreover, in the place where the conscription commission takes place there are obligatory put information desks and boards, explaining the conscripts rights and obligations as well as excerpt of the normative documentation that concerns them.

During the clarification of the factual status of Mr. Mustafa Saidiev Bidzhekov, was find out that he has been informed about his rights and obligations, and he has signed a declaration. On 25.08.2006 Mr. Bidzhekov passed the full procedure organized by the conscription commission and has received a copy of its decision. He has not undertaken any actions for starting a procedure for substitution until the moment he received his summons for military service.

On 27.03.2007 Mr. Bidzhekov enrolled in the army as a conscript, and in accordance to article 111, paragraph 1 of the LDAFRB the official military service could not be substituted with alternative during its implementation.

Your statement that Mr. Bidzhekov had problems with the information access due to the remoteness of the region he lives in are unjustified, because he stated himself in the letter to you, that he has an internet access.

According the above stated, I reckon that your statements that Mr. Bidzhekov was not informed about his rights are unjustified and there is not any legal grounds for starting o procedure for substitution the military service with an alternative one.

Signed: Deputy Minister of Defense, *Simeon Nikolov*

(In Bulgaria conscription ends 31 December 2007)

GREECE

*Greek conscientious objector **Lazaros Petromelidis** (left) joined us for the first time after he has been called up to the army 18 years ago leaving Greece to participate at the EBCO assembly in Speyer (Germany) on October 6, 2007 (on the right Jordi Tolra, EBCO Vice-President, Barcelona)*



GREECE (continued)

The Greek Daily „Eleftherotypia“ published an article on 15 May 2007 (the international conscientious objection day) which has been translated into English by our Greek friends. EBCO has been participating at a national conference. Petar Milicevic from EBCO Balkan gave his lecture on the situation for conscientious objectors in



15th May Conference on Conscientious Objection in Athens

CYPRUS

A new conscription law was voted in Cyprus in June 2007 introducing a 34-month alternative service (30 months for those who were exempted due to “health problems”, comparing to 25-month military service has been adopted by the Cyprus Council of Ministers in June.

It is estimated that the last 5 years 25% of conscripts (18 years old Greek-Cypriots) don't serve at all.

This means Greece remains the most discriminative and punitive place for Cos by far even in the expanded EU (23 months alternative service instead of 12 months military service).

The Greek Association of COs issued a public statement on the new law previous week which was published in the cypriot newspaper Politis.

Serbia

From 2003 - June 2007 from a total of 50.000 recruits some 30.000 finished a social service. At present there are some 10.000 conscripts doing alternative service. About 3.5 % were not accepted as conscientious objectors and forced to the army..

Serbia is in a process of legal reforms with a new defence law and a new law on military duty. This law on military duty will regulate the right for conscientious objection. The next step will be the professional army in 2010.

EBCO organised a study tour to Belgrade in July. A detailed report from EBCO Secretary General Hans Dijkman can be found on the EBCO website www.ebco-beoc.org

Croatia

ends conscription on 31st December 2007

Austria

Conscientious Objector Franz Jägerstätter beatified

In presence of his 94 years old widow Franziska and 5000 people conscientious objector Franz Jägerstätter has been beatified on 26 October 2007 November 1st in Linz (Austria). Franz Jägerstätter had been called up to the German “Wehrmacht” when he was 36 years old and had refused to serve. He had been executed in 1943 in Berlin. The Catholic church in Austria in the 40s had condemned Franz Jägerstätter for his conscientious objection and rejected all support for his religious motivated refusal to serve in the German army. Pope Benedict XVI now underlined that “he has given his life for the values of the human being”. The European Bureau for Conscientious Objection (EBCO) had brought the fate of conscientious objectors victims of the Nazi terror to a wider public when inaugurating a memorial stone at the Concentration Camp in Mauthausen (near Linz) five years ago and in Buchenwald in 2004.

