

# **Turkey : Ankara Unlikely to Legalize Conscientious Objection to Military Service**

Thursday 6 October 2011, by [Justin Vela](#)

**Turkish government leaders have made reducing the military's role in politics one of their top domestic priorities. But there is one area where the politicians appear reluctant to confront the generals - providing draft exemptions for conscientious objectors.**

Turkish law requires males between the ages of 20-41 to serve in the military; six months for university graduates, 15 months otherwise. The European Court of Human Rights and European Commission have pressed Ankara to recognize citizens' right to abstain from military service, but Turkey's governing Justice and Development Party (AKP) has shown little enthusiasm for providing legal protection to conscientious objectors. Turkey and Azerbaijan are the only two signatories of European Convention on Human Rights to deny such protection. Individuals who declare themselves objectors are treated like soldiers who refuse to obey orders and face court martial.

A prison sentence of between six months and two years is the norm, according to Oğuz Sönmez, who runs a website on Turkish objectors. Once the sentence is served, men are expected to report for duty. If they do not, they can be arrested and handed over to the military, which then holds another court martial. Sönmez estimates that about three to five men query him each month, seeking information about becoming an objector. "When I begin to explain the process, most do not get back in touch," he said.

Tradition helps explain why the AKP seems reluctant to meddle with the draft. In Turkish society, a man is not considered "a man" until he performs military service, contended Ozan Ekin, a 23-year-old university student. Ekin declared himself a conscientious objector last year, at a meeting of anti-military activists. As a student, he is not required to fulfill his military service until he is 30, and hopes a draft exemption is in place before then. "I believe the new constitution will change the situation," he said, referring to Prime Minister Recep Tayyip Erdoğan's efforts to update Turkey's basic law.

Istanbul-based human rights lawyer Orhan Kemal Cengiz reckons otherwise. "I haven't seen any clue or indication that the government will take such steps. I do not think it is on their agenda right now," Cengiz said.

In recent years, the AKP has been able to outmaneuver the generals, and exert a greater level of civilian oversight over the military that at any other point during Turkey's republican era. The arrests of dozens of active-duty and retired senior officers in connection with coup plots have helped keep the military on its heels.

While the alleged coup conspiracies may have dented the armed services' prestige, a large majority of Turks still view the military in a favorable light. Recent opinion polling, conducted under the auspices of the Turkey Values Survey, showed that trust in the military had declined 15 percent since 2008. But the poll also found that 75 percent of the 1,605 respondents still had faith in the institution.

Pressing the military on a conscientious objector exemption could be counter-productive politically for the AKP, Cengiz, the rights lawyer, suggested. "I do not think they [AKP leaders] will bother themselves with escalating already extreme tensions [with the military] with these kinds of 'petty' questions," he said. Representatives of the AKP and military could not be reached for comment.

Military analyst Gareth Jenkins also said he would be surprised if Turkey addresses the status of conscientious objectors in the new constitution. A reduction in the prison terms given to conscientious objectors would seem a more likely alternative, he predicted.

Establishing a program that allows for public-sector work as an alternative to military service would be difficult to implement in Turkey at this time. Such an option would be “open to abuse because there is such a politicized system in Turkey” for nearly all-types of job appointments, argued Jenkins. In turn, Cengiz believes that Turkey lacks the “conditions and legal instruments” for establishing a legal conscientious objector status.

The security situation in southeastern Turkey compounds the problems surrounding alternative service. “In a situation where the country is effectively at war with the PKK [the banned Kurdistan Workers’ Party], there are lots of people who wish they had the opportunity to avoid having to fight and risk being killed,” said Jenkins.

Over the past five years or so, the military seems to have finessed the situation by issuing so-called “rotten reports” — documents that declare conscientious objectors unfit for military by citing other reasons, such as anti-social behavior, homosexuality or extreme anxiety. This approach may be successful in limiting scrutiny from the European Court of Human Rights, but it does not provide a lasting solution for conscientious objectors. “Turkey somehow should address the question,” Cengiz said.

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## Sources

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