



**European
Bureau for
Conscientious
Objection**



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

Landmark judgment by the European Court of Human Rights in the case of reservist conscientious objector Murat Kanatlı v Türkiye

3 May 2024

The [European Bureau for Conscientious Objection](#) (EBCO), [War Resisters' International](#) (WRI), the [International Fellowship of Reconciliation](#) (IFOR), and [Connection e.V.](#) welcome the **landmark judgement** of 12th March by the **European Court of Human Rights in the case [Kanatlı v Türkiye](#)** (application no. 18382/15). Murat Kanatlı is an EBCO Board Member and Co-coordinator of the Initiative for Conscientious Objection in Cyprus.

The Court held unanimously (thus including the Turkish judge) that the imprisonment of Murat Kanatlı in 2009 for his refusal on grounds of conscience to perform his one-day reserve service in the forces of the self-styled "Turkish Republic of Northern Cyprus (TRNC)" was a **violation of Article 9** (freedom of thought, conscience and religion) of the European Convention on Human Rights. (In line with the previous jurisprudence of the Court it was agreed that for the purposes of the Convention "TRNC" was within the jurisdiction of Türkiye itself.) It noted that the Military Service Act of the "TRNC", – which provided for compulsory military service in the armed forces, including as a reservist – made no provision for conscientious objectors to perform an alternative form of service, and that Murat Kanatlı had declared his conscientious objection to military service in 2008 and been elected to the Board of EBCO in 2009. The particular significance is that **this is the first time that an international judgement in an individual case has explicitly confirmed that the right of conscientious objection to military service applies to reserve service equally with first time conscription.**

It may be noted that two similar cases concerning reserve service in the "TRNC" are currently pending before the European Court – those of **Haluk Selam Tufanlı** (Application No. 29367/15), claiming violations of Articles 5 §1,4 and 5 (liberty and security of person), 9 (freedom of thought, conscience, and religion) and 13 (right to an effective remedy) of the European Convention on Human Rights, regarding his imprisonment for refusal of reserve service in 2011, and **Halil Karapaşaoğlu** (Application No. 40627/19), likewise claiming violations of Articles 5 and 9, and also of Article 6 (right to a fair trial), regarding his imprisonment for refusal of reserve service in 2018. It is to be expected that with regard to Article 9, the Court will follow the precedent set in *Kanatlı* in both cases.

The four organisations call on the authorities in the "TRNC" urgently to amend the Military Service Act so as to recognise the right of conscientious objection to military service, including with regard to reservist service, and to implement the *Kanatlı* judgement by forthwith ceasing prosecution of conscientious objectors, revoking the conviction of **Mustafa Hürben (appeal hearing on 17th May)** and compensating him for his imprisonment, and by dropping the fresh charges against **Halil Karapaşaoğlu (trial set for 30th May)**.

FOR MORE INFORMATION AND INTERVIEWS please contact:

Murat Kanatlı, EBCO Board Member and Co-coordinator of the [Initiative for Conscientious Objection in Cyprus](#) (+905428528446, +35799896675, muratkanatli@gmail.com)

Derek Brett, Chief Editor of the [European Bureau for Conscientious Objection](#) (+41774444420, derekubrett@gmail.com)



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

[War Resisters' International \(WRI\)](#) was founded in London in 1921 as a global network of grassroots organisations, groups and individuals working together for a world without war. WRI remains committed to its founding declaration that 'War is a crime against humanity. I am therefore determined not to support any kind of war, and to strive for the removal of all causes of war'. Today WRI is a global pacifist and antimilitarist network with over 90 affiliated groups in 40 countries. WRI facilitates mutual support, by linking people together through publications, events and actions, initiating nonviolent campaigns that actively involve local groups and individuals, supporting those who oppose war and who challenge its causes, and promoting and educating people about pacifism and nonviolence. WRI runs three programmes of work that are important to the network: The Right to Refuse to Kill Programme, the Nonviolence Programme, and Countering the Militarisation of Youth.

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

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