

**Question for written answer E-002301/2014
to the Commission**

Rule 117

Nikos Chrysogelos (Verts/ALE)

Subject: Imprisonment of Turkish Cypriot conscientious objector and human rights activist Murat Kanatli

Turkish Cypriot conscientious objector and human rights activist Murat Kanatli, a Board member of the European Bureau for Conscientious Objection, was imprisoned on 26 February 2014 as a result of his conscientious objection to participating in the annual compulsory military exercises in the northern part of Cyprus. Since 2009, Murat Kanatli has refused each year, on conscientious grounds, to participate in these exercises. He was judged by the Military Court which delivered its judgment on 26 February and imposed a fine of TRY 500. Upon his refusal to pay the fine, Kanatli was sent to serve 10 days in prison. This decision is solely regarding his refusal to participate in the year 2009. The cases relating to objection to serve in 2010 and 2011 are still pending¹. The Commission is reminded of Paragraph 106 of Parliament's resolution of 12 December 2012² in which it states that it 'regrets that young people in some Member States are still being prosecuted and sentenced to imprisonment because the right to conscientious objection to military service is still not adequately recognised, and calls on the Member States to stop persecution of and discrimination against conscientious objectors'. The Commission is also reminded of paragraph 42(g) of the EU guidelines on the promotion and protection of freedom of religion or belief, adopted on 24 June 2013 by the EU's Foreign Affairs Council, which state that the EU 'encourages States to respect the right to conscientious objection to military service, based on one's religion or belief, and allow for an alternative service of a non-combatant or civilian character³'.

Given that the imprisonment of Murat Kanatli violates his human right to conscientious objection to compulsory military service:

1. what will the Commission do to ensure his immediate and unconditional release?
2. how will the Commission ensure that the charges against him relating to his refusal of reserve service in 2010 and 2011 are dropped, given that the UN Human Rights Committee has ruled in its General Comment no 32, 2007, paragraph 55, that such repeated prosecutions of conscientious objectors breach the principle of ne bis in idem, i.e. no one should be tried twice for the same 'offence'.
3. how will the Commission ensure that all Cypriot conscripts, reservists and professional members of the armed forces are accorded the right to conscientious objection in line with European and international standards?

¹ EBCO Press Release of 25/02/2014 <http://ebco-beoc.org/node/329>.

² Texts adopted, P7_TA(2012)0500.

³ Pages 8 and 9 of the EBCO Report 2013 <http://ebco-beoc.org/files/attachments/2013-EBCO-REPORT-EUROPE.pdf>.