



9.17.14

## **COLOMBIA | Constitutional Court Upholds Right to Conscientious Objection, Religious Freedom**

The Colombian Constitutional Court upheld the right to conscientious objection, freedom of worship and religious freedom on Sept. 16 in the case of Jhonatan David Vargas Becerra, who was forcibly inducted into the military in March 2014 and later arrested and imprisoned on charges of going absent without leave.

The Court has given the National Army 48 hours to free him.

On March 16, 2013, Jhonatan David Vargas Becerra, a member of the Foursquare Gospel Church, voluntarily presented himself at the 34th Battalion of Barrancabermeja to establish his military status. He made a verbal declaration of his status as a conscientious objector. Vargas Becerra explained to the military officials present that his religious convictions do not allow him to engage in violence or belong to armed groups, and on that basis, as provided for under the law, he declined obligatory military service.

Instead of recognizing his legal rights as a conscientious objector, the military reacted by forcibly inducting him into the 34th Battalion. Vargas Becerra was then transferred from Barrancabermeja, Santander to a military district of Tolima and later sent to the 28 ASCP Bochica Battalion in Puerto Carreño, Vichada (779 miles from his home in Barrancabermeja).

On June 14, 2013, members of the battalion were granted a few days of home leave to visit their families. When the period of leave came to an end, Vargas Becerra decided against returning to the battalion in order to press for his rights as a conscientious objector. Over the past 14 months, Vargas Becerra submitted numerous legal petitions in an effort to have his right to conscientious objection recognized. In a major step forward, the Colombian Constitutional Court selected his case for revision.

Despite the Constitutional Court's pending review of Vargas Becerra's case, military authorities informed Vargas Becerra on Aug. 29 that he was considered to be absent without leave. They also informed him that military criminal proceeding against him had been initiated.

On Sept. 4, while leaving the University of Santander (Barrancabermeja) where he is in an engineering student, Vargas Becerra and a group of young people were stopped at a security checkpoint. A warrant for Vargas Becerra's arrest was discovered. He was detained and imprisoned in the Las Granjas police station in Barrancabermeja. The following day he was handed over to the military and transferred to the Nueva Granada Battalion where he was forced to appear before the military judge handling his case.

CSW's Chief Executive Mervyn Thomas said, "We welcome yesterday's Constitutional Court's decision in favor of Jhonathan, which essentially upheld its earlier decisions which enshrined the religious freedom, freedom of worship and the right to conscientious objection. We call on the Colombian National Army to immediately release Jhonathan, in compliance with the Court's findings and urge military leadership to ensure that members of the military at all levels understand and are trained in protections for religious freedom and associated rights."