



EuroMed Rights
EuroMed Droits
الأورو-متوسطية لحقوق

**Ms Federica Mogherini, High Representative of the Union
for Foreign Affairs and Security Policy and Vice-President of the European Commission
cc: Ministers of Foreign Affairs of the European Union and EU ambassadors to Turkey**

Copenhagen, 3 March 2016

Object: Persecution of Human Rights Defenders in Turkey

Dear HR/VP Federica Mogherini,

EuroMed Rights is deeply concerned by the ongoing crackdown on dissenting voices in Turkey, and calls on you to do everything in your power to protect and stand by human rights defenders in this dismaying context.

A recent example of this worrying trend is the **harassment of activists of the Human Rights Association (İHD)**, a member organisation of EuroMed Rights. On 9 February 2016, in Izmir, 49 peace activists were violently arrested by riot police while holding a press conference. The reason for this arrest was the alleged violation of the Meetings and Demonstration Marches Act (No. 2911) and propaganda of an illegal organisation according to the Anti-Terror Law (No. 3713). Despite the absence of an arrest warrant, detainees were kept for three hours in police cars, and then taken to the Izmir Security Directorate. 38 were released a few hours later, and the rest was released from the police station the day after.

On 4 February three executives of the İHD local branch in Erzurum were detained. They are in pre-trial detention and accused under the Anti-Terror Law (No. 3713) of being members of a terrorist organisation and of propaganda for a terrorist organisation, although we have reasons to believe that the true reason for their detention is their work in favour of prisoners' rights and human rights in general. No trial date has been determined yet.

Mr Mesut Aslan, İHD Executive Committee member in Gaziantep and a psychologist, was dismissed from his position on 27 November 2015. He was later detained in the Gaziantep prison for sharing the picture of a friend who had been killed in Syria while fighting for the YPG, a Syrian Kurdish militia, on his Facebook account. Mr Aslan is accused of propaganda concerning a terrorist organisation.

On 30 September 2015, the İHD office in Siirt was raided. The police detained three İHD executives and confiscated documents and computers. One of them was sent to prison in Siirt. On 12 August, Mr Emirhan Uysal, İHD Şırnak Branch President was arrested for joining a press conference on the "declaration of local autonomy".

In total, **five activists of the İHD remain in detention, while over 20 others face trial** (some of them having already spent months or years in pre-trial detention).

Furthermore, **journalists are heavily targeted** in an attempt to curtail freedom of expression and information. 38 journalists are in jail, of which 23 Kurds. The case of Cumhuriyet newspaper director, Can Dundar, and head of the Ankara office, Erdem Gul, against whom the public prosecutor required life imprisonment, epitomises this 'witch-hunt'. They are accused of revealing state secrets "for espionage purposes" and seeking to "violently" overthrow the Turkish government as well as aiding an "armed terrorist organisation". The charges relate to an article alleging that the Turkish government tried to ship arms to Islamists in Syria. They have been released from jail after 92 days following a decision by the Constitutional Court arguing that their personal liberty and their freedom of expression and freedom of press had been violated. Although this release is to be welcomed, the journalists still face charges, and many others remain behind bars in similar cases.

Other noteworthy cases are those of **trade unionists** charged of "making propaganda concerning a terrorist organisation" after demonstrating peacefully, or that of more than a **thousand academics who signed a statement for peace**, some of whom were judicially charged, while others were dismissed or suffer from administrative and financial harassment from their hierarchy.

This repression takes place against the backdrop of [large-scale arrest operations](#) carried out since July 2015, allegedly as part of the fight against terrorism. In July and August 2015, 2,686 people were arrested and 352 were imprisoned. However, it appears all too clearly that among the thousands of people arrested, mainly Kurdish and leftist opponents from HDP, most are peaceful activists whose critical or different opinions displeases the government.

It is worth mentioning that in many of these cases that are clearly politically-motivated, **the Anti-Terror Law is applied**, granting extended powers to public prosecutors and judges while limiting the rights of the defence. Provisions such as "propaganda for a terrorist organisation" are commonly applied to punish freedom of expression online and offline and freedom of peaceful assembly, and the right of defendants to a fair trial is in many cases violated. On several occasions, EuroMed Rights has denounced the partiality of judicial proceedings¹ in Turkey.

This situation goes hand in hand with the **escalation of violence in the Southeast of Turkey**, where authorities impose curfews on entire districts as a form of collective punishment of a whole population, contrary to international law. In January 2016, a EuroMed Rights delegation confirmed serious violations of human rights by the conflicting parties and in particular by Turkish security forces.

In view of the above, **EuroMed Rights calls on the European Union to:**

1. Urge the Turkish authorities to release and annul proceedings against the dozens of human rights activists, trade unionists, journalists and intellectuals who are jailed or face judicial harassment for political motives;
2. **Monitor closely the safety of human rights defenders** and to encourage the EU Delegation and the EU Member State Embassies in Turkey to proactively implement the EU Guidelines on Human Rights Defenders. In particular, the EU Missions should as often as possible visit

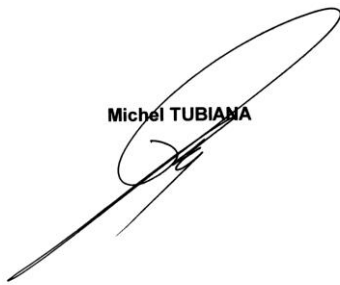
¹ See in particular [Observation of the trial of Osman İSÇİ](#), Ankara, 10 April 2013

political prisoners in jail, and attend the trials of human rights defenders, journalists, trade unionists etc.

3. Use all of its influence and political means to get the conflicting parties in the **Southeast of Turkey** to agree to a cease-fire and go back to the negotiation table, in order to avoid a further destabilisation of the country and the region.

EuroMed Rights looks forward to hearing from you about steps that the European Union will take to implement the aforementioned recommendations, in line with the EU Guidelines on Human Rights Defenders and the EU's Human Rights Action Plan adopted by the Council on 20 July 2015.

Yours sincerely,



Michel TUBIANA

EuroMed Rights President